



# Journal of the House

State of Indiana

121st General Assembly

Second Regular Session

Twenty-Seventh Day

Monday Morning

March 2, 2020

The invocation was offered by Bishop Jennifer Baskerville—Burrows of Episcopal Diocesan Headquarters in Indianapolis, a guest of Representative Campbell.

The House convened at 10:00 a.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Ziemke.

The Speaker ordered the roll of the House to be called:

Abbott	Jackson
Austin	Jordan
Aylesworth	Judy
Bacon	Karickhoff
Baird	Kirchhofer
Barrett	Klinker <input type="checkbox"/>
Bartels	Lauer
Bartlett	Lehe
Bauer	Lehman
Beck	Leonard
Behning	Lindauer
Borders	Lucas
Boy	Lyness
T. Brown	Macer
Burton	Manning
Campbell	May
Candelaria Reardon <input type="checkbox"/>	Mayfield
Carbaugh	McNamara
Cherry	Miller
Chyung	Moed
Clere	Morris
Cook	Morrison <input type="checkbox"/>
Davisson	Moseley
Deal	Negele
DeLaney	Nisly
DeVon	Pfaff
Dvorak <input type="checkbox"/>	Pierce <input type="checkbox"/>
Eberhart	Porter
Ellington	Prescott
Engleman	Pressel
Errington	Pryor
Fleming	Saunders <input type="checkbox"/>
Forestal <input type="checkbox"/>	Schaibley
Frye	Shackleford
GiaQuinta	Sherman
Goodin	Smaltz
Goodrich	V. Smith
Gutwein	Soliday
Hamilton	Speedy <input type="checkbox"/>
Harris	Steuerwald
Hatcher	Stutzman <input type="checkbox"/>
Hatfield	Sullivan <input type="checkbox"/>
Heaton	Summers
Heine <input type="checkbox"/>	Thompson
Hostettler	Torr
Huston	VanNatter

Vermilion  
Wesco  
Wolkins  
Wright ☐

J. Young  
Zent  
Ziemke  
Mr. Speaker

Roll Call 232: 88 present; 12 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, March 3, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

## RESOLUTIONS ON FIRST READING

### House Concurrent Resolution 44

Representative Pfaff introduced House Concurrent Resolution 44:

A CONCURRENT RESOLUTION recognizing teachers and the work they do.

*Whereas, Education and knowledge make up the foundation of the current and future strength of the United States and the state of Indiana;*

*Whereas, Teachers and education staff have earned the respect of fellow Hoosiers for their selfless dedication to students and their communities;*

*Whereas, Teachers help mold future citizens through guidance and education;*

*Whereas, Teachers encounter students of widely differing backgrounds;*

*Whereas, The future of Indiana and the United States depends upon providing quality education to all students;*

*Whereas, Teachers spend countless hours preparing lessons, evaluating progress, counseling and coaching students, and performing community service;*

*Whereas, Hoosiers across Indiana recognize and support teachers in educating Hoosier children; and*

*Whereas, The purpose of Teacher Appreciation Week, celebrated from May 3, 2020, to May 9, 2020, is to raise public awareness of the contributions of teachers, and to promote greater respect and understanding for the teaching profession: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly recognizes teachers and the work they do.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to State Representative Tonya Pfaff for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator J.D. Ford.

### **ENGROSSED SENATE BILLS ON SECOND READING**

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: Engrossed Senate Bills 21, 47, 78, 100, 148, 177, 184, 209, 256, 319 and 331.

Representative Candelaria Reardon, who had been excused, is now present.

### **ENGROSSED SENATE BILLS ON THIRD READING**

#### **Engrossed Senate Bill 25**

Representative Frye called down Engrossed Senate Bill 25 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 233: yeas 89, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Young, who had been present, is now excused.

#### **Engrossed Senate Bill 206**

Representative Torr called down Engrossed Senate Bill 206 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 234: yeas 87, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### **Engrossed Senate Bill 230**

Representative Burton called down Engrossed Senate Bill 230 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 235: yeas 87, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### **Engrossed Senate Bill 254**

Representative Soliday called down Engrossed Senate Bill 254 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 236: yeas 87, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Pierce, who had been excused, is now present.

#### **Engrossed Senate Bill 295**

Representative Behning called down Engrossed Senate Bill 295 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 237: yeas 88, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### **Engrossed House Bill 343**

Representative Manning called down Engrossed Senate Bill 343 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

### **HOUSE MOTION**

Mr. Speaker: Pursuant to House Rule 46, I request to be excused from voting on the question of Senate Bill 343. Pursuant to House Rule 168, the reason for the request is the following:

I have a conflict of interest in the matter before the House which could be reasonably be expected to have a unique, direct and substantial effect on the income of the company that I own, which installs fiber optic cables in rural areas.

FRYE

Motion prevailed.

Roll Call 238: yeas 87, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Young, who had been excused, is now present.

#### **Engrossed Senate Bill 346**

Representative Behning called down Engrossed Senate Bill 346 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 239: yeas 89, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Lehman, who had been present, is now excused.

#### **Engrossed Senate Bill 398**

Representative Jordan called down Engrossed Senate Bill 398 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 240: yeas 80, nays 8. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Lehman, who had been excused, is now present.

#### **Engrossed Senate Bill 406**

Representative Bartels called down Engrossed Senate Bill 406 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 241: yeas 89, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### **Engrossed Senate Bill 410**

Representative Abbott called down Engrossed Senate Bill 410 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 242: yeas 89, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### **Engrossed Senate Bill 427**

Representative Zent called down Engrossed Senate Bill 427 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 243: yeas 89, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

### **ENGROSSED SENATE BILLS ON SECOND READING**

#### **Engrossed Senate Bill 257**

Representative Soliday called down Engrossed Senate Bill 257 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

The House recessed until the fall of the gavel.

### **RECESS**

The House reconvened at 2:59 p.m. with the Speaker in the Chair.

Representatives Dvorak, Klinker, Morrison, Stutzman and Sullivan, who had been excused, are now present.

Representatives Davisson and Mayfield, who had been present, are now excused.

### **RESOLUTIONS ON FIRST READING**

#### **Senate Concurrent Resolution 49**

The Speaker handed down Senate Concurrent Resolution 49, sponsored by Representative Lyness:

A CONCURRENT RESOLUTION recognizing Gus Adams for his many years of teaching Franklin County students.

*Whereas, Gus Adams, a teacher at Franklin County High School, has taught students in Franklin County for nearly four decades;*

*Whereas, Gus graduated from Indiana University East in 1981 with a bachelor's degree in education, and from Ball State University with a master's degree in social studies education in 1984;*

*Whereas, At Franklin County High School for his entire career, Gus has taught World Geography, World History, U.S. History, Sociology, and Economics, and Advanced Placement courses in U.S. History, Government, and Economics;*

*Whereas, Outside the classroom, Gus has coached boys and girls basketball at Franklin County Middle School for 35 years, and spent 2 years each as Head Coach and Assistant Coach of the Franklin County High School Varsity Girls Basketball team; and*

*Whereas, Gus' decades-long commitment to education in Franklin County deserves recognition: Therefore,*

*Be it resolved by the Senate  
of the General Assembly of the State of Indiana,  
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly recognizes Gus Adams for his many years of teaching Franklin County students.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Gus Adams

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

#### **Senate Concurrent Resolution 50**

The Speaker handed down Senate Concurrent Resolution 50, sponsored by Representative Pressel:

A CONCURRENT RESOLUTION congratulating Emily Graves on being named a Prudential Spirit of Community Awards Program 2020 State Honoree.

*Whereas, Emily Graves of LaPorte, Indiana, a senior at New Prairie High School, founded a nonprofit organization, Cookies for Soldiers, that has delivered more than 35,000 boxes of Girl Scout cookies to active and former military personnel at home and abroad over the past decade;*

*Whereas, At the age of 6, Emily bought several boxes of Girl Scout cookies with her own money, solicited donations to buy 600 more boxes, and contacted veterans' organizations to help ship the cookies to service members;*

*Whereas, Today, with help from more than 150 volunteers, Emily purchases over 5,000 boxes of Girl Scout cookies and packs them up at an annual packing event, ships the cookies both to active soldiers and veterans, and personally hands cookies out at veterans hospitals, Honor Flights, and at other military and veterans events;*

*Whereas, Due to her extensive community service efforts, Emily was nominated to be considered for the Prudential Spirit of Community Award;*

*Whereas, The Prudential Spirit of Community Award is the United States' largest youth recognition program based solely on volunteer service, with distinguished finalists and state honorees being selected based on criteria including personal initiative, effort, impact, and personal growth;*

*Whereas, Emily was named one of two State Honorees for the Prudential Spirit of Community Award for 2020; and*

*Whereas, The success of the state of Indiana, the strength of our communities, and the overall leadership development of Indiana's youth depend upon the tireless dedication of young individuals like Emily, who uses her considerable talents and resources to serve others: Therefore,*

*Be it resolved by the Senate  
of the General Assembly of the State of Indiana,  
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly congratulates Emily Graves on being named a Prudential Spirit of Community Awards 2020 State Honoree.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Emily Graves

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

## ENGROSSED SENATE BILLS ON SECOND READING

### Engrossed Senate Bill 1

Representative Kirchhofer called down Engrossed Senate Bill 1 for second reading. The bill was read a second time by title.

#### HOUSE MOTION (Amendment 1-1)

Mr. Speaker: I move that Engrossed Senate Bill 1 be amended to read as follows:

Page 2, between lines 15 and 16, begin a new line block indented and insert:

**"(3) The person has not had an interest in a certificate revoked by the commission for that business location within the preceding one (1) year."**

Page 3, line 9, after "(18)" insert **"twenty-one (21)"**.

Page 3, line 9, reset in roman "years of".

Page 3, line 9, delete "the legal".

Page 3, line 9, after "age" insert ".".

Page 3, line 9, delete "to purchase tobacco".

Page 3, delete line 10.

Page 3, line 12, reset in roman "customers are under".

Page 3, line 12, after "(18)" insert **"twenty-one (21)"**.

Page 3, line 12, reset in roman "years of".

Page 3, line 12, delete "a customer".

Page 3, line 13, delete "is less than the legal".

Page 3, line 13, after "age" insert ".".

Page 3, line 13, delete "to purchase tobacco products and".

Page 3, delete line 14.

Page 3, line 23, strike "hundred eighty (180) day" and insert **"(1) year"**.

Page 18, line 7, after "tobacco" insert **", an e-liquid,"**.

Page 21, line 34, strike "that has as its" and insert **"in which tobacco products, electronic cigarettes, and e-liquids account for at least eighty-five percent (85%) of the retail establishment's gross sales"**.

Page 21, line 35, strike "primary purpose the sale of tobacco products,"

Page 21, line 35, delete "e-liquids, or electronic".

Page 21, line 36, delete "cigarettes".

Page 22, line 40, after "establishment" insert ":".

Page 22, line 40, strike "that:".

Page 22, line 41, strike "has a primary purpose to sell tobacco

or electronic cigarettes;" and insert **"in which tobacco products, electronic cigarettes, and e-liquids account for at least eighty-five percent (85%) of the retail establishment's gross sales;"**.

Page 23, line 1, after "(2)" insert **"that"**.

Page 23, line 13, delete "a".

Page 23, line 13, delete "product" and insert **", an e-liquid, or an electronic cigarette"**.

(Reference is to ESB 1 as printed February 28, 2020.)

KIRCHHOFFER

Motion prevailed. The bill was ordered engrossed.

### Engrossed Senate Bill 4

Representative Kirchhofer called down Engrossed Senate Bill 4 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

### Engrossed Senate Bill 5

Representative Schaibley called down Engrossed Senate Bill 5 for second reading. The bill was read a second time by title.

#### HOUSE MOTION (Amendment 5-4)

Mr. Speaker: I move that Engrossed Senate Bill 5 be amended to read as follows:

Page 1, line 16, delete "45 CFR 180 (as published August 9, 2019, and as" and insert **"the final rule of the Centers for Medicare and Medicaid Services published in 84 FR 65524"**.

Page 1, line 17, delete "subsequently amended".

Page 2, line 11, delete "prices paid" and insert **"negotiated charge"**.

Page 2, line 24, delete "prices" and insert **"negotiated charge"**.

Page 3, line 4, after "for the" insert **"fifteen (15)"**.

Page 3, line 6, delete "services provided for the code." and insert **"times each service is provided by the urgent care facility."**

Page 3, line 8, delete "prices paid" and insert **"negotiated charge"**.

Page 3, line 21, delete "prices" and insert **"negotiated charge"**.

Page 3, delete lines 25 through 38, begin a new paragraph and insert:

**"SECTION 4. IC 27-1-15.6-13.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13.5. (a) This section applies only to the following:**

**(1) A group policy of accident and sickness insurance, as defined in IC 27-8-5-1. However, this section does not apply to the types of insurance and coverage described in IC 27-8-5-2.5(a).**

**(2) A group health maintenance organization contract entered into under IC 27-13.**

**(b) Except as provided in subsection (c), an insurer that issues an insurance policy or a health maintenance organization that enters into a health maintenance organization contract shall disclose to the policyholder or subscriber in a separate written notification:**

**(1) any commission, service fee, or brokerage fee that has been or will be paid to an insurance producer for selling, soliciting, or negotiating the policy or contract; and**

**(2) whether the amount disclosed under subdivision (1) is based on a percentage of total plan premiums or a flat per member fee.**

**(c) An insurer or health maintenance organization shall provide a copy of the written notification described in subsection (b) to the policyholder or subscriber:**

**(1) when the insurance policy is issued or the contract is entered into; and**

(2) each time the insurance policy or contract is renewed.

(d) Each copy of a written notification described in subsection (b) must include a signature line on which the policyholder may sign to acknowledge receiving the written notification.

(e) This section does not require the disclosure to the policyholder of a commission, service fee, or brokerage fee in connection with the issuance of an insurance policy if a federal law or regulation requires disclosure of the commission, service fee, or brokerage fee to the policyholder."

Page 3, line 42, delete "entered into or renewed after June 30, 2020." and insert "**beginning July 1, 2020.**".

Page 4, line 4, delete "employers, including individual employers or public" and insert "**employers**".

Page 4, delete line 5.

Page 4, line 6, delete "arrangement under IC 27-1-34 or IC 5-10-8-5,".

Page 4, line 12, delete "IC 27-1-45" and insert "IC 27-1-44.5".

Page 4, line 15, delete "45." and insert "**44.5.**".

(Reference is to ESB 5 as printed February 28, 2020.)

SCHAIBLEY

Motion prevailed. The bill was ordered engrossed.

### Engrossed Senate Bill 132

Representative Frye called down Engrossed Senate Bill 132 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

### Engrossed Senate Bill 146

Representative Schaibley called down Engrossed Senate Bill 146 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 146-3)

Mr. Speaker: I move that Engrossed Senate Bill 146 be amended to read as follows:

Page 3, line 14, delete "public or".

Page 3, line 15, delete "board of trustees" and insert "**governing board**".

Page 3, line 16, delete "established a police department" and insert "**appointed the police officer**".

Page 3, line 16, delete "IC 21-17-5-2 or" and insert "**IC 21-17-5-2.**".

Page 3, delete line 17.

Page 4, line 23, delete "A" and insert "**If a victim advocate or victim service provider is not available, a victim has the right to speak with victims assistance or a social worker. A**".

Page 4, line 25, delete "advocate or" and insert "**advocate,**".

Page 4, line 26, delete "provider" and insert "**provider, victims assistance, or a social worker**".

Page 4, line 33, after "examination," insert "**or as soon as possible,**".

Page 4, line 41, after "provider." insert "**If a victim advocate or victim service provider is not available, a victim has the right to speak with victims assistance or a social worker.**".

Page 4, between lines 41 and 42, begin a new paragraph and insert:

**"Sec. 3. Before a provider commences a forensic medical examination, or as soon as possible, the provider shall notify a victim advocate or a victim service provider. If a victim advocate or victim service provider is not available, the provider shall notify victims assistance or a social worker."**

Page 5, line 11, delete "investigation." and insert "**investigation, and that the victim has the right to speak to victims assistance or a social worker if a victim advocate or victim service provider is not available.**".

(Reference is to ESB 146 as printed February 28, 2020.)

SCHAIBLEY

Motion prevailed. The bill was ordered engrossed.

### Engrossed Senate Bill 178

Representative Wesco called down Engrossed Senate Bill 178 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 178-1)

Mr. Speaker: I move that Engrossed Senate Bill 178 be amended to read as follows:

Page 2, between lines 2 and 3, begin a new paragraph and insert:

**"SECTION 2. IC 3-8-1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. A candidate for the office of attorney general must satisfy all of the following:**

**(1) The candidate must** have resided in Indiana for at least two (2) years before the election. ~~and~~

**(2) The candidate must** have been admitted to the practice of law in Indiana for at least five (5) years upon taking office.

**(3) The candidate may not have been:**

**(A) disbarred in Indiana; or**

**(B) suspended from the practice of law in Indiana for thirty (30) or more days;**

**at any time during the period of five (5) years before taking office."**

Page 7, between lines 26 and 27, begin a new paragraph and insert:

**"SECTION 5. IC 3-8-7-8, AS AMENDED BY P.L.278-2019, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) This section applies to a state convention conducted by a political party described by IC 3-8-4-1.**

**(b) The state chairman and state secretary of the political party holding the state convention shall certify each candidate nominated at the convention to the secretary of state not later than noon July 15 before the general election.**

**(c) The certificate must be in writing and state the following:**

**(1) The name of each candidate nominated as:**

**(A) the candidate wants the candidate's name to appear on the ballot; and**

**(B) the candidate's name is permitted to appear on the ballot under IC 3-5-7.**

**(2) Each candidate's residence address.**

**(3) Whether each candidate nominated by the convention has complied with IC 3-9-1-5 by filing a campaign finance statement of organization.**

**(4) The following statements:**

**(A) A statement that the candidate satisfies all the qualifications for the office the candidate is seeking under Indiana law.**

~~(A)~~ **(B) A statement that the candidate has attached either of the following to the certificate:**

**(i) A copy of a statement of economic interests, file stamped by the office required to receive the statement of economic interests.**

**(ii) A receipt, photocopy of a receipt, or electronic mail from the office of the inspector general or judicial qualifications commission, showing that a statement of economic interests has been filed.**

This requirement does not apply to a candidate for a federal office.

~~(B)~~ **(C) A statement that the candidate understands that if the candidate is elected to the office, the candidate may be required to obtain and file an individual surety bond before serving in the office. This requirement does not apply to a candidate for a federal office or**

legislative office.

~~(C)~~ **(D)** A statement that the candidate understands that if the candidate is elected to the office, the candidate may be required to successfully complete training or have attained certification related to service in an elected office. This requirement does not apply to a candidate for a federal office, state office, or legislative office.

~~(D)~~ **(E)** A statement that the candidate:

- (i) is aware of the provisions of IC 3-9 regarding campaign finance and the reporting of campaign contributions and expenditures; and
- (ii) agrees to comply with the provisions of IC 3-9.

This requirement does not apply to a candidate for a federal office.

The candidate must separately initial each of the statements required by this subdivision.

(d) The election division shall prescribe the form of the certificate of nomination for the offices. The election division shall provide that the form of the certificate of nomination include the following information:

(1) The dates for filing campaign finance reports under IC 3-9.

(2) The penalties for late filing of campaign finance reports under IC 3-9.

(e) A certificate of nomination must include a statement that the candidate requests the name on the candidate's voter registration record be the same as the name the candidate uses on the certificate of nomination. If there is a difference between the name on the candidate's certificate of nomination and the name on the candidate's voter registration record, the officer with whom the certificate of nomination is filed shall forward the information to the voter registration officer of the appropriate county as required by IC 3-5-7-6(e). The voter registration officer of the appropriate county shall change the name on the candidate's voter registration record to be the same as the name on the candidate's certificate of nomination.

(f) The certificate of nomination must be signed by the state chairman and state secretary of the political party holding the convention, and set forth the name and residence of the chairman and secretary. The chairman and secretary shall acknowledge the certificate before an individual authorized to administer oaths under IC 33-42-9. The signed acknowledgment must be included in the certificate of nomination executed under this section."

Page 40, between lines 1 and 2, begin a new paragraph and insert:

"SECTION 48. IC 3-12-11-25, AS AMENDED BY P.L.233-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 25. (a) Except as provided in subsection (b), whenever the commission makes a final determination under section 18 of this chapter that the candidate who is subject to a contest proceeding is not eligible to serve in the office to which the candidate is nominated or elected, the candidate who received the second highest number of votes for the office is entitled to a certificate of nomination or certificate of election even though a certificate may have been issued to another candidate upon the tabulation of the votes.

(b) This subsection applies to a contest proceeding for a state office other than the offices of governor, lieutenant governor, justice of the supreme court, judge of the court of appeals, and judge of the tax court. Whenever the commission makes a final determination under section 18(b) of this chapter that the candidate who is subject to a contest proceeding is not eligible to serve in the office to which the candidate is elected the following apply:

(1) This subdivision does not apply to the filling of a state office following a contest proceeding or court action that resulted from an election held before January 1, 2011. The office is considered vacant, and the governor shall fill the vacancy as provided in ~~IC 3-13-4-3(e)~~ **IC 3-13-4-3(f)** by the appointment of a person of the same political party as the candidate who is not eligible to serve.

(2) The commission's determination that the candidate is not eligible to serve in the office does not affect the votes cast for the candidate for purposes of determining the number or percentage of votes cast for purposes of other statutes, including IC 3-5-2-30, IC 3-6-2-1, IC 3-6-4.1-6, IC 3-6-5.2-7, IC 3-6-6-8, IC 3-6-7-1, IC 3-6-8-1, IC 3-8-4, IC 3-8-6, IC 3-10-1-2, IC 3-10-2-15, IC 3-10-4-2, IC 3-10-6, IC 3-10-7-26, IC 3-11-2-6, IC 3-11-13-11, IC 3-11-14-3.5, IC 3-13-9-4.5, IC 6-9-2-3, and IC 36-4-1.5-2.

SECTION 49. IC 3-13-4-3, AS AMENDED BY P.L.225-2011, SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) This section applies to a vacancy that occurs in a state office other than governor, lieutenant governor, or a judicial office.

(b) If a state officer wants to resign from office, the state officer must resign as provided in IC 5-8-3.5.

(c) A vacancy that occurs in a state office because of the death of the state officer may be certified to the governor under IC 5-8-6. The governor may not fill a vacancy as provided by law until the governor receives notice of the death under IC 5-8-6.

(d) **Except as provided in subsection (e)**, a vacancy that occurs in a state office other than by resignation or death shall be certified to the governor by the circuit court clerk of the county in which the officer resided.

**(e) A vacancy that occurs in the office of the attorney general under IC 4-6-1-3(b) shall be certified to the governor by the Indiana supreme court.**

~~(e)~~ **(f)** The governor shall fill a vacancy in a state office by appointment of a person of the same political party as the officer who held the vacated office.

~~(f)~~ **(g)** The person who is appointed by the governor holds office for the remainder of the unexpired term and until a successor is elected and qualified."

Page 40, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 51. IC 4-6-1-3, AS AMENDED BY P.L.215-2016, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. **(a)** The attorney general shall be a citizen of and duly licensed to practice law in Indiana. Before entering upon the discharge of the duties of the attorney general's office, the attorney general shall take and subscribe an oath of office to be administered to the attorney general in the usual form by any officer authorized to administer oaths; which oath shall be deposited in the office of the secretary of state. The attorney general shall also, previous to entering upon the duties of the office, properly execute and file with the secretary of state the attorney general's bond in the penal sum of fifty thousand dollars (\$50,000), payable to the state of Indiana, with surety to the approval of the secretary of state, and conditioned for the faithful discharge of the attorney general's duties as attorney general; the premium on the bond shall be payable from state funds to be appropriated.

**(b) If the individual who holds the office of attorney general is:**

**(1) disbarred in Indiana; or**

**(2) suspended from the practice of law in Indiana for thirty (30) or more days;**

**the individual forfeits the office and a vacancy in the office exists."**

Renumber all SECTIONS consecutively.  
(Reference is to ESB 178 as printed February 28, 2020.)  
WESCO

Upon request of Representatives Pierce and Porter, the Speaker ordered the roll of the House to be called. Roll Call 244: yeas 84, nays 9. Motion prevailed. The bill was ordered engrossed.

### Engrossed Senate Bill 190

Representative Thompson called down Engrossed Senate Bill 190 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 190-2)

Mr. Speaker: I move that Engrossed Senate Bill 190 be amended to read as follows:

Page 3, line 39, delete "adopt but may".

Page 6, between lines 4 and 5, begin a new paragraph and insert:

**"(g) Nothing in this section shall be construed to prevent a political subdivision that has assessed value within the same taxing district as the political subdivision described in subsection (a) from adopting a resolution or taking a position on the local public question."**

Page 6, line 22, delete "adopt but may".

Page 8, after line 27, begin a new paragraph and insert:

**"(h) Nothing in this section shall be construed to prevent a political subdivision that has assessed value within the same taxing district as the political subdivision described in subsection (a) from adopting a resolution or taking a position on the local public question."**

Renumber all SECTIONS consecutively.  
(Reference is to ESB 190 as printed February 28, 2020.)

THOMPSON

Motion prevailed.

HOUSE MOTION  
(Amendment 190-1)

Mr. Speaker: I move that Engrossed Senate Bill 190 be amended to read as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

**"SECTION 1. IC 6-1.1-20-0.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 0.8. (a) This section applies to a preliminary determination to issue bonds or enter into a lease made after June 30, 2020, for a project for engineering, land and right-of-way acquisition, construction, resurfacing, maintenance, restoration, and rehabilitation of:**

**(1) local road and street systems, including bridges that are designated as being in a local road and street system;**

**(2) arterial road and street systems, including bridges that are designated as being in an arterial road and street system; or**

**(3) any combination of local and arterial road and street systems, including designated bridges.**

**(b) In determining whether a project is a controlled project for purposes of this chapter and whether the petition and remonstrance process under sections 3.1 and 3.2 of this chapter or the referendum process under sections 3.5 and 3.6 of this chapter applies to the project, the cost of the project does not include expenditures for the project that will be paid from a source other than property taxes."**

Delete page 2.

Page 3, delete lines 1 through 22.

Renumber all SECTIONS consecutively.  
(Reference is to ESB 190 as printed February 28, 2020.)  
THOMPSON

Motion prevailed. The bill was ordered engrossed.

### Engrossed Senate Bill 216

Representative Burton called down Engrossed Senate Bill 216 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 216-2)

Mr. Speaker: I move that Engrossed Senate Bill 216 be amended to read as follows:

Page 12, between lines 9 and 10, begin a new line triple block indented and insert:

**"(ii) a probation officer;**

**(iii) a community corrections officer;"**

Page 12, line 10, strike "(ii)" and insert "(iv)".

Page 12, line 12, strike "(iii)" and insert "(v)".

Page 12, line 13, strike "(iv)" and insert "(vi)".

Page 12, line 14, strike "(v)" and insert "(vii)".

Page 12, line 14, after "officer," insert **"probation officer, community corrections officer,"**

(Reference is to ESB 216 as printed February 28, 2020.)

BURTON

Motion prevailed. The bill was ordered engrossed.

### Engrossed Senate Bill 229

Representative Wolkins called down Engrossed Senate Bill 229 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 229-2)

Mr. Speaker: I move that Engrossed Senate Bill 229 be amended to read as follows:

Page 2, after line 33, begin a new paragraph and insert:

**"SECTION 2. IC 14-28-1-19.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 19.5. For purposes of this chapter, property owners may jointly apply for a permit."**

Renumber all SECTIONS consecutively.

(Reference is to ESB 229 as printed February 28, 2020.)

WESCO

Motion prevailed.

HOUSE MOTION  
(Amendment 229-5)

Mr. Speaker: I move that Engrossed Senate Bill 229 be amended to read as follows:

Page 2, delete lines 25 through 26, and insert **"IC 36-9-27-2, provided that the"**

(Reference is to ESB 229 as printed February 28, 2020.)

ERRINGTON

Upon request of Representatives Pryor and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 245: yeas 33, nays 59. Motion failed. The bill was ordered engrossed.

Representatives Candelaria Reardon and Wolkins, who had been present, are now excused.

Representative Mayfield, who had been excused, is now present.

### Engrossed Senate Bill 241

Representative Lehman called down Engrossed Senate Bill 241 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 241-4)

Mr. Speaker: I move that Engrossed Bill 241 be amended to read as follows:

Page 11, between lines 29 and 30, begin a new paragraph and insert:

**"Sec. 30. (a) A pharmacy benefit manager:**

- (1) owes a fiduciary duty to;**
- (2) shall act in the best interest of;**
- (3) shall not act in any manner contrary to the interests of; and**
- (4) shall not advance its own interests over the interests of;**

**the health benefit plan, state agency, insurer, managed care organization, or other third party payor for which it performs one (1) or more of the actions described in section 12(a) of this chapter.**

**(b) Any provision of a contract entered into, issued, or renewed after June 30, 2020, that would authorize a pharmacy benefit manager to act in violation of subsection (a) is unenforceable."**

Page 11, line 30, delete "30." and insert "31."

(Reference is to ESB 241 as printed February 28, 2020.)

AUSTIN

Upon request of Representatives Karickhoff and Torr, the Speaker ordered the roll of the House to be called. Roll Call 246: yeas 92, nays 0. Motion prevailed.

Representatives Candelaria Reardon and Wolkins, who had been excused are now present.

HOUSE MOTION  
(Amendment 241-3)

Mr. Speaker: I move that Engrossed Senate Bill 241 be amended to read as follows:

Page 11, between lines 29 and 30, begin a new paragraph and insert:

**"Sec. 30. (a) A pharmacy benefit manager that manages prescription drug benefits under the Medicaid program administered under IC 12-15 shall provide equal treatment to all pharmacies that are members of a network through which the pharmacy benefit manager manages Medicaid prescription drug benefits.**

**(b) A pharmacy benefit manager described in subsection (a) shall not discriminate among pharmacies described in subsection (a) as to:**

- (1) the dispensing fee;**
- (2) the ingredient cost reimbursement; or**
- (3) cost sharing by Medicaid recipients;**

**with respect to any particular prescription drug dispensed to Medicaid recipients, as determined on a per unit of prescription drug basis.**

**(c) A pharmacy benefit manager described in subsection (a) shall not impose a higher cost upon the office of the secretary of family and social services for a prescription drug dispensed by one pharmacy described in subsection (a) than it imposes upon the office of the secretary for the same prescription drug dispensed by another pharmacy described in subsection (a), regardless of the overall volume of the prescription drug that each pharmacy dispenses to Medicaid recipients.**

**(d) Any provision of a contract entered into, issued, or renewed after June 30, 2020, that violates this section is unenforceable."**

Page 11, line 30, delete "30." and insert "31."

(Reference is to ESB 241 as printed February 28, 2020.)

AUSTIN

Upon request of Representatives Pryor and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 247: yeas 93, nays 0. Motion prevailed.

HOUSE MOTION  
(Amendment 241-1)

Mr. Speaker: I move that Engrossed Senate Bill 241 be amended to read as follows:

Page 11, between lines 35 and 36, begin a new paragraph and insert:

**"SECTION 3. IC 27-8-5-31 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 31: (a) The definitions in section 30 of this chapter apply throughout this section:**

**(b) This section applies to an insurer that uses a formulary, cost sharing, or utilization review for prescription drug coverage:**

**(c) An insurer shall not remove a prescription drug from the insurer's formulary, change the cost sharing requirements that apply to a prescription drug, or change the utilization review requirements that apply to a prescription drug unless the insurer does at least one (1) of the following:**

- (1) At least sixty (60) days before the removal or change is effective, send written notice of the removal or change to each insured for whom the prescription drug has been prescribed during the preceding twelve (12) month period;**
- (2) At the time an insured for whom the prescription drug has been prescribed during the preceding twelve (12) month period requests a refill of the prescription drug, provide to the insured:**

**(A) written notice of the removal or change; and**

**(B) a sixty (60) day supply of the prescription drug under the terms that applied before the removal or change.**

**SECTION 4. IC 27-8-5-31.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 31.5. (a) This section applies to a policy of accident and sickness insurance that is amended or entered into after June 30, 2020.**

**(b) The definitions in section 30 of this chapter apply throughout this section.**

**(c) This section applies to an insurer that uses a formulary or cost sharing review for prescription drug coverage.**

**(d) An insurer shall not remove a prescription drug from the insurer's formulary or change the cost sharing requirements that apply to a prescription drug unless the insurer does the following:**

- (1) At least sixty (60) days before the removal or change is effective, send written notice of the removal or change to each insured for whom the prescription drug has been prescribed during the plan year.**
- (2) Provides a timely appeal process for the insured to request an extension of coverage for the prescription drug through the end of the plan year. The appeal process must consider the following:**

**(A) Clinical appropriateness.**

**(B) If the insured has been adherent to the prescription drug regimen long enough that discontinuation of the prescription drug would cause a significant barrier to the insured's adherence to or compliance with the insured's plan of care.**

**(C) Whether discontinuation of the prescription drug would worsen a comorbid condition of the insured.**

**(D) Whether discontinuation of the prescription drug would decrease the insured's ability to achieve or maintain reasonable functional ability in performing daily activities.**

**(e) If an appeal under subsection (d)(2) is granted, the insurer shall notify the insured and the insured's health care provider of the authorization for coverage of the prescription drug that was the subject of the appeal.**

**(f) An extension of coverage of a prescription drug**



through the end of the plan year under this section is permitted only once and may not be repeated unless otherwise provided by the insurer.

(g) Nothing under this section prohibits an insurer from removing a prescription drug from its formulary or denying an insured coverage if:

- (1) the federal Food and Drug Administration has issued a statement about the prescription drug that calls into question the clinical safety of the prescription drug;
- (2) the manufacturer of the prescription drug has notified the federal Food and Drug Administration of a manufacturing discontinuance or potential discontinuance of the prescription drug as required by 21 U.S.C. 356c of the federal Food, Drug, and Cosmetic Act; or
- (3) the manufacturer of the prescription drug has removed the prescription drug from the market."

Renumber all SECTIONS consecutively.

(Reference is to ESB 241 as printed February 28, 2020.)

AUSTIN

Representative Leonard rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. After discussion, Representative Leonard withdrew the point of order.

Upon request of Representatives Pryor and Karickhoff, the Speaker ordered the roll of the House to be called. Roll Call 248: yeas 94, nays 0. Motion prevailed.

#### HOUSE MOTION (Amendment 241-2)

Mr. Speaker: I move that Engrossed Senate Bill 241 be amended to read as follows:

Page 11, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 3. IC 27-13-38-7 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 7: (a) The definitions in IC 27-13-7-23 apply throughout this section:

(b) A health maintenance organization shall not remove a prescription drug from the health maintenance organization's formulary; change the cost sharing requirements that apply to a prescription drug; or change the utilization review program requirements that apply to a prescription drug unless that health maintenance organization does at least one (1) of the following:

- (1) At least sixty (60) days before the removal or change is effective; send written notice of the removal or change to each enrollee for whom the prescription drug has been prescribed during the preceding twelve (12) month period;
- (2) At the time an enrollee for whom the prescription drug has been prescribed during the preceding twelve (12) month period requests a refill of the prescription drug, provide to the enrollee:

- (A) written notice of the removal or change; and
- (B) a sixty (60) day supply of the prescription drug under the terms that applied before the removal or change.

SECTION 4. IC 27-13-38-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7.5. (a) This section applies to an individual contract or a group contract that is amended or entered into after June 30, 2020.

(b) The definitions in IC 27-13-7-23 apply throughout this section.

(c) This section applies to a health maintenance organization that uses a formulary or cost sharing review for prescription drug coverage.

(d) A health maintenance organization shall not remove a prescription drug from the health maintenance organization's formulary or change the cost sharing requirements that apply to a prescription drug unless the health maintenance organization does the following:

(1) At least sixty (60) days before the removal or change is effective, sends written notice of the removal or change to each enrollee for whom the prescription drug has been prescribed during the plan year.

(2) Provides a timely appeal process for the enrollee to request an extension of coverage for the prescription drug through the end of the plan year. The appeal process must consider the following:

(A) Clinical appropriateness.

(B) If the enrollee has been adherent to the prescription drug regimen long enough that discontinuation of the prescription drug would cause a significant barrier to the enrollee's adherence to or compliance with the enrollee's plan of care.

(C) Whether discontinuation of the prescription drug would worsen a comorbid condition of the enrollee.

(D) Whether discontinuation of the prescription drug would decrease the enrollee's ability to achieve or maintain reasonable functional ability in performing daily activities.

(e) If an appeal under subsection (d)(2) is granted, the health maintenance organization shall notify the enrollee and the enrollee's health care provider of the authorization for coverage of the prescription drug that was the subject of the appeal.

(f) An extension of coverage of a prescription drug through the end of the plan year under this section is permitted only once and may not be repeated unless otherwise provided by the health maintenance organization.

(g) Nothing under this section prohibits a health maintenance organization from removing a prescription drug from its formulary or denying an enrollee coverage if:

- (1) the federal Food and Drug Administration has issued a statement about the prescription drug that calls into question the clinical safety of the prescription drug;
- (2) the manufacturer of the prescription drug has notified the federal Food and Drug Administration of a manufacturing discontinuance or potential discontinuance of the prescription drug as required by 21 U.S.C. 356c of the federal Food, Drug, and Cosmetic Act; or
- (3) the manufacturer of the prescription drug has removed the prescription drug from the market."

Renumber all SECTIONS consecutively.

(Reference is to ESB 241 as printed February 28, 2020.)

AUSTIN

Upon request of Representatives Karickhoff and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 249: yeas 94, nays 0. Motion prevailed. The bill was ordered engrossed.

#### Engrossed Senate Bill 243

Representative Lehman called down Engrossed Senate Bill 243

for second reading. The bill was read a second time by title.

#### HOUSE MOTION (Amendment 243-1)

Mr. Speaker: I move that Engrossed Senate Bill 243 be amended to read as follows:

Page 2, after line 42, begin a new paragraph and insert:

"SECTION 2. IC 25-22.5-17 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

#### Chapter 17. Physician's Patient Information

Sec. 1. If a physician licensed under this article leaves the employment of an employer, the following apply:

(1) The employer of the physician must provide the physician with a copy of any notice that:

(A) concerns the physician's departure from the employer; and

(B) was sent to any patient seen or treated by the physician during the two (2) year period preceding the termination of the physician's employment or the expiration of the physician's contract. However, the patient names and contact information must be redacted from the copy of the notice provided from the employer of the physician to the physician.

(2) The physician's employer must, in good faith, provide the physician's last known or current contact and location information to a patient who:

(A) requests updated contact and location information for the physician; and

(B) was seen or treated by the physician during the two (2) year period preceding the termination of the physician's employment or the expiration of the physician's contract.

(3) The physician's employer must provide the physician with:

(A) access to; or

(B) copies of;

any medical record associated with a patient described in subdivision (1) or (2) upon receipt of the patient's consent.

(4) The physician's employer may not provide patient medical records to a requesting physician in a format that materially differs from the format used to create or store the medical record during the routine or ordinary course of business, unless a different format is mutually agreed upon by the parties. Paper or portable document format copies of the medical records satisfy the formatting provisions of this chapter.

**Sec. 2. A person or entity required to create, copy, or transfer a patient medical record for a reason specified in this chapter may charge a reasonable fee for the service as permitted under applicable state or federal law."**

Renumber all SECTIONS consecutively.

(Reference is to ESB 243 as printed February 28, 2020.)

JUDY

Motion prevailed. The bill was ordered engrossed.

#### Engrossed Senate Bill 267

Representative Pressel called down Engrossed Senate Bill 267 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 267-1)

Mr. Speaker: I move that Engrossed Senate Bill 267 be amended to read as follows:

Page 13, line 24, delete "IC 12-13-16-12." and insert "IC 12-13-16-13."

Page 17, between lines 16 and 17, begin a new paragraph and insert:

"Sec. 12. (a) The office of the secretary shall submit to the general assembly an annual report regarding 211 operations. The report must include information regarding all services provided through 211 and a description of changes in the information as compared to the year preceding the year for which the report is issued.

(b) The office of the secretary shall submit the report under subsection (a):

(1) not later than June 1 of each year; and

(2) in an electronic format under IC 5-14-6."

Page 17, line 17, delete "Sec. 12." and insert "Sec. 13."

(Reference is to ESB 267 as printed February 25, 2020.)

JACKSON

Motion prevailed. The bill was ordered engrossed.

#### Engrossed Senate Bill 272

Representative Torr called down Engrossed Senate Bill 272 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 272-6)

Mr. Speaker: I move that Engrossed Bill 272 be amended to read as follows:

Page 4, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 1. IC 6-3.1-11-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. As used in this chapter, "taxpayer" means any person, corporation, limited liability company, partnership, or other entity that has any state tax liability and that is the owner or developer of an industrial recovery site. The term includes ~~a lessee~~ **an assignee** that is assigned some part of a credit under section 16(c) of this chapter.

SECTION 2. IC 6-3.1-11-16, AS AMENDED BY P.L.204-2016, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) Subject to entering into an agreement with the corporation under section 19.5 of this chapter and subject to section 21 of this chapter, a taxpayer is entitled to a credit against the taxpayer's state tax liability for a taxable year if the taxpayer makes a qualified investment in that year.

(b) The amount of the credit to which a taxpayer is entitled is the qualified investment made by the taxpayer during the taxable year multiplied by the applicable percentage.

(c) ~~A taxpayer may assign any part of the credit to which the taxpayer is entitled under this chapter to a lessee of the industrial recovery site. A credit that is assigned under this subsection remains subject to this chapter. The taxpayer may assign any part of the credit that the taxpayer may claim under this chapter. A credit that is assigned under this subsection remains subject to this chapter.~~

(d) ~~An assignment under subsection (c) must be in writing and both the taxpayer and the lessee must report the assignment on their state tax return for the year in which the assignment is made; in the manner prescribed by the department of state revenue. The taxpayer shall not receive value in connection with the assignment under subsection (c) that exceeds the value of the part of the credit assigned. If a taxpayer assigns a part of a credit during a taxable year, the assignee may not subsequently assign all or part of the credit to another taxpayer. A taxpayer may make only one (1) assignment of a credit. Before a credit may be assigned, the taxpayer must notify the corporation of the assignment of the credit in the manner prescribed by the corporation. An assignment of a credit must be in writing, and both the taxpayer and assignee shall report the assignment on the taxpayer's and the assignee's state tax returns for the year in which the assignment is made, in the manner prescribed by the department. A taxpayer may not receive value in connection with an assignment under this section that exceeds the value of the part of the credit assigned."~~

Renumber all SECTIONS consecutively.

(Reference is to ESB 272 as printed February 21, 2020.)

LEHMAN

Motion prevailed.

HOUSE MOTION  
(Amendment 272-2)

Mr. Speaker: I move that Engrossed Senate Bill 272 be amended to read as follows:

Page 5, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 9. IC 6-3.1-13-15, AS AMENDED BY P.L.197-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15. This section applies to an application proposing a project to create new jobs in Indiana. After receipt of an application, the corporation may enter into an agreement with the applicant for a credit under this chapter if the corporation determines that all of the following conditions exist:

- (1) The applicant's project will create new jobs that were not jobs previously performed by employees of the applicant in Indiana.
- (2) The applicant's project is economically sound and will benefit the people of Indiana by increasing opportunities for employment in Indiana and strengthening the economy of Indiana.
- (3) Receiving the tax credit is a major factor in the applicant's decision to go forward with the project and not receiving the tax credit will result in the applicant not creating new jobs in Indiana.
- (4) Awarding the tax credit will result in an overall positive fiscal impact to the state, as certified by the budget agency using the best available data.
- (5) The credit is not prohibited by section 16 of this chapter.
- (6) If the business is located in a community revitalization enhancement district established under IC 36-7-13 or a certified technology park established under IC 36-7-32, the legislative body of the political subdivision establishing the district or park has adopted an ordinance recommending the granting of a credit amount that is at least equal to the credit amount provided in the agreement.
- (7) The applicant provides at least twelve (12) weeks of paid maternity leave or paternity leave, as applicable, to an employee of the applicant who:**
  - (A) gives birth to a child;**
  - (B) is married to a woman who gives birth to a child; or**
  - (C) adopts a child.**

SECTION 10. IC 6-3.1-13-15.5, AS AMENDED BY P.L.110-2010, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15.5. This section applies to an application proposing to retain existing jobs in Indiana. After receipt of an application, the corporation may enter into an agreement with the applicant for a credit under this chapter if the corporation determines that all the following conditions exist:

- (1) The applicant's project will retain existing jobs performed by the employees of the applicant in Indiana.
- (2) The applicant is engaged in research and development, manufacturing, or business services, according to the NAICS Manual of the United States Office of Management and Budget.
- (3) The average compensation (including benefits) provided to the applicant's employees during the applicant's previous fiscal year exceeds the greater of the following:
  - (A) If there is more than one (1) business in the same NAICS industry sector as the applicant's business in the county in which the applicant's business is located, the average compensation paid during that same period to all employees working in that NAICS industry sector in that county multiplied by one hundred five percent (105%).
  - (B) If there is more than one (1) business in the same NAICS industry sector as the applicant's business in Indiana, the average compensation paid during that same period to all employees working in that NAICS industry sector throughout Indiana multiplied by one hundred five percent (105%).

(C) The compensation for that same period corresponding to the federal minimum wage multiplied by two hundred percent (200%).

(4) For taxable years beginning before January 1, 2010, the applicant employs at least thirty-five (35) employees in Indiana.

(5) The applicant has prepared a plan for the use of the credits under this chapter for:

- (A) investment in facility improvements or equipment and machinery upgrades, repairs, or retrofits; or
- (B) other direct business related investments, including but not limited to training.

(6) Receiving the tax credit is a major factor in the applicant's decision to go forward with the project, and not receiving the tax credit will increase the likelihood of the applicant reducing jobs in Indiana.

(7) Awarding the tax credit will result in an overall positive fiscal impact to the state, as certified by the budget agency using the best available data.

(8) The applicant's business and project are economically sound and will benefit the people of Indiana by increasing or maintaining opportunities for employment and strengthening the economy of Indiana.

(9) The communities affected by the potential reduction in jobs or relocation of jobs to another site outside Indiana have committed local incentives with respect to the retention of jobs in an amount determined by the corporation. For purposes of this subdivision, local incentives include, but are not limited to, cash grants, tax abatements, infrastructure improvements, investment in facility rehabilitation, construction, and training investments.

(10) The credit is not prohibited by section 16 of this chapter.

(11) If the business is located in a community revitalization enhancement district established under IC 36-7-13 or a certified technology park established under IC 36-7-32, the legislative body of the political subdivision establishing the district or park has adopted an ordinance recommending the granting of a credit amount that is at least equal to the credit amount provided in the agreement.

**(12) The applicant provides at least twelve (12) weeks of paid maternity leave or paternity leave, as applicable, to an employee of the applicant who:**

- (A) gives birth to a child;**
- (B) is married to a woman who gives birth to a child; or**
- (C) adopts a child."**

Renumber all SECTIONS consecutively.

(Reference is to ESB 272 as printed February 21, 2020.)

PRYOR

Representative Leonard rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. The Speaker ruled the point was well taken and the motion was out of order.

#### HOUSE MOTION (Amendment 272-1)

Mr. Speaker: I move that Engrossed Senate Bill 272 be amended to read as follows:

Replace the effective dates in SECTIONS 7 through 10 with "[EFFECTIVE JANUARY 1, 2017 (RETROACTIVE)]".

Page 5, between lines 4 and 5, begin a new paragraph and insert:

**"(d) The application prescribed under subsection (c) must include a provision stating that the applicant authorizes the corporation to make the disclosures described in section 23.1 of this chapter."**

Page 7, after line 7, begin a new paragraph and insert:

"SECTION 11. IC 6-3.1-13-23.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017 (RETROACTIVE)]: **Sec. 23.1. (a) This section applies only to an application for the credit provided by this chapter that is initially submitted to the corporation after December 31, 2016.**

**(b) As used in this section, "application" means any application form prescribed by the corporation that is submitted by an applicant in order to obtain the credit provided by this chapter.**

**(c) Notwithstanding IC 5-14-3-4, if a person submits a properly executed request to the corporation under IC 5-14-3 to inspect or copy any of the following public records after the third anniversary of the date on which an application for the credit provided by this chapter is initially submitted to the corporation, the corporation shall make the public record available to the person who submitted the request for the public record under IC 5-14-3 in an unredacted form for inspection or copying:**

**(1) An application for the credit provided by this chapter.**

**(2) The part of an agreement or other document that specifies the amount or percentage of the credit provided by this chapter that was awarded to an applicant.**

SECTION 12. **An emergency is declared for this act."**

Renumber all SECTIONS consecutively.

(Reference is to ESB 272 as printed February 21, 2020.)

CHYUNG

Upon request of Representatives Chyung and Porter, the Speaker ordered the roll of the House to be called. Roll Call 250: yeas 30, nays 63. Motion failed.

HOUSE MOTION  
(Amendment 272-3)

Mr. Speaker: I move that Engrossed Senate Bill 272 be amended to read as follows:

Page 4, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 7. IC 6-3.1-13-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 7.5. (a) As used in this chapter, "reasonable accommodation" means a modification or adjustment to address medical needs related to pregnancy.**

**(b) The term may include the following:**

**(1) More frequent or longer breaks.**

**(2) Modification of uniforms.**

**(3) Time off work to recover from childbirth.**

**(4) Acquisition or modification of equipment.**

**(5) Seating.**

**(6) Temporary transfer to a less strenuous or less hazardous position.**

**(7) Job restructuring.**

**(8) Light duty.**

**(9) Work break time for expressing breast milk.**

**(10) Private nonbathroom space for expressing breast milk.**

**(11) Assistance with physical or manual labor.**

**(12) Modified work schedules."**

Page 5, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 10. IC 6-3.1-13-15, AS AMENDED BY P.L.197-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 15.** This section applies to an application proposing a project to create new jobs in Indiana. After receipt of an application, the corporation may enter into an agreement with the applicant for a credit under this

chapter if the corporation determines that all of the following conditions exist:

(1) The applicant's project will create new jobs that were not jobs previously performed by employees of the applicant in Indiana.

(2) The applicant's project is economically sound and will benefit the people of Indiana by increasing opportunities for employment in Indiana and strengthening the economy of Indiana.

(3) Receiving the tax credit is a major factor in the applicant's decision to go forward with the project and not receiving the tax credit will result in the applicant not creating new jobs in Indiana.

(4) Awarding the tax credit will result in an overall positive fiscal impact to the state, as certified by the budget agency using the best available data.

(5) The credit is not prohibited by section 16 of this chapter.

(6) If the business is located in a community revitalization enhancement district established under IC 36-7-13 or a certified technology park established under IC 36-7-32, the legislative body of the political subdivision establishing the district or park has adopted an ordinance recommending the granting of a credit amount that is at least equal to the credit amount provided in the agreement.

**(7) The applicant provides reasonable accommodations for pregnant employees.**

SECTION 11. IC 6-3.1-13-15.5, AS AMENDED BY P.L.110-2010, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 15.5.** This section applies to an application proposing to retain existing jobs in Indiana. After receipt of an application, the corporation may enter into an agreement with the applicant for a credit under this chapter if the corporation determines that all the following conditions exist:

(1) The applicant's project will retain existing jobs performed by the employees of the applicant in Indiana.

(2) The applicant is engaged in research and development, manufacturing, or business services, according to the NAICS Manual of the United States Office of Management and Budget.

(3) The average compensation (including benefits) provided to the applicant's employees during the applicant's previous fiscal year exceeds the greater of the following:

(A) If there is more than one (1) business in the same NAICS industry sector as the applicant's business in the county in which the applicant's business is located, the average compensation paid during that same period to all employees working in that NAICS industry sector in that county multiplied by one hundred five percent (105%).

(B) If there is more than one (1) business in the same NAICS industry sector as the applicant's business in Indiana, the average compensation paid during that same period to all employees working in that NAICS industry sector throughout Indiana multiplied by one hundred five percent (105%).

(C) The compensation for that same period corresponding to the federal minimum wage multiplied by two hundred percent (200%).

(4) For taxable years beginning before January 1, 2010, the applicant employs at least thirty-five (35) employees in Indiana.

(5) The applicant has prepared a plan for the use of the credits under this chapter for:

(A) investment in facility improvements or equipment and machinery upgrades, repairs, or retrofits; or

(B) other direct business related investments, including but not limited to training.

(6) Receiving the tax credit is a major factor in the applicant's decision to go forward with the project, and not receiving the tax credit will increase the likelihood of the applicant reducing jobs in Indiana.

(7) Awarding the tax credit will result in an overall positive fiscal impact to the state, as certified by the budget agency using the best available data.

(8) The applicant's business and project are economically sound and will benefit the people of Indiana by increasing or maintaining opportunities for employment and strengthening the economy of Indiana.

(9) The communities affected by the potential reduction in jobs or relocation of jobs to another site outside Indiana have committed local incentives with respect to the retention of jobs in an amount determined by the corporation. For purposes of this subdivision, local incentives include, but are not limited to, cash grants, tax abatements, infrastructure improvements, investment in facility rehabilitation, construction, and training investments.

(10) The credit is not prohibited by section 16 of this chapter.

(11) If the business is located in a community revitalization enhancement district established under IC 36-7-13 or a certified technology park established under IC 36-7-32, the legislative body of the political subdivision establishing the district or park has adopted an ordinance recommending the granting of a credit amount that is at least equal to the credit amount provided in the agreement.

**(12) The applicant provides reasonable accommodations for pregnant employees."**

Renumber all SECTIONS consecutively.

(Reference is to ESB 272 as printed February 21, 2020.)

PRYOR

Representative Leonard rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. The Speaker ruled the point was well taken and the motion was out of order.

#### APPEAL OF THE RULING OF THE CHAIR

Mr. Speaker: We hereby appeal the ruling of the Chair that amendment Senate Bill 272-2 violates House Rule 80. The amendment addresses requiring IEDC Tax Credit applicants to provide reasonable accommodations for pregnant employees and is assuredly germane to the bill's subject matter of IEDC Tax Credits.

DVORAK

PRYOR

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Karickhoff.

The question was, Shall the ruling of the Chair be sustained? Roll Call 251: yeas 63, nays 30. The ruling of the Chair was sustained. The bill was ordered engrossed.

The Speaker Pro Tempore yielded the gavel to the Speaker.

#### Engrossed Senate Bill 289

Representative Wesco called down Engrossed Senate Bill 289 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 289-3)

Mr. Speaker: I move that Engrossed Senate Bill 289 be amended to read as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 3.

Page 4, delete line 1, begin a new paragraph and insert:

"SECTION 1. IC 31-9-2-7, AS AMENDED BY P.L.191-2011, SECTION 4, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) "Adult", for purposes of IC 31-19-17 through IC 31-19-25.5, means a person who is at least twenty-one (21) years of age.

(b) "Adult", for purposes of the juvenile law, means a person other than a child.

**(c) "Adult", for purposes of IC 31-11, means:**

**(1) a person at least eighteen (18) years of age; or**

**(2) a:**

**(A) married minor who is at least sixteen (16) years of age; or**

**(B) minor who has been completely emancipated by a court;**

**subject to specific constitutional and statutory age requirements and health and safety regulations that remain applicable to the person because of the person's age."**

Page 8, line 41, delete "as defined under".

Page 8, line 42, delete "IC 1-1-4-5(a)(1)".

Page 20, line 30, delete "adult as defined in" and insert "adult."

Page 20, line 31, delete "IC 1-1-4-5(a)(1)".

Page 21, line 40, delete "adult as" and insert "adult."

Page 21, line 41, delete "defined in IC 1-1-4-5(a)(1)".

Renumber all SECTIONS consecutively.

(Reference is to ESB 289 as printed February 25, 2020.)

ENGLEMAN

Motion prevailed. The bill was ordered engrossed.

#### Engrossed Senate Bill 335

Representative McNamara called down Engrossed Senate Bill 335 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 335-1)

Mr. Speaker: I move that Engrossed Bill 335 be amended to read as follows:

Page 81, line 8, after "IC 35-50-2-2.1;" insert "and".

Page 81, delete lines 9 through 22, begin a new line block indented and insert:

**"(13) whether:**

**(A) the person has been adjudicated a delinquent child for committing an act that would be a serious violent felony (as defined in IC 35-47-4-5) if committed by an adult; and**

**(B) the:**

**(i) person is currently suffering from a mental health issue;**

**(ii) mental health issue described in item (i) is chronic or ongoing;**

**(iii) person has received, or is receiving, treatment for a current or chronic mental health issue; or**

**(iv) person is compliant with a treatment regimen recommended by a mental health professional, if applicable."**

Page 103, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 56. IC 35-41-5-2, AS AMENDED BY P.L.158-2013, SECTION 409, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A person conspires to commit a ~~felony~~ **an offense** when, with intent to commit the ~~felony~~ **offense**, the person agrees with another person to commit the ~~felony~~ **offense**. A conspiracy to commit a ~~felony~~ **an offense** is a ~~felony~~ **an offense** of the same level **(if the offense is a felony) or class (if the offense is a misdemeanor)** as the underlying ~~felony~~ **offense**. However, a conspiracy to commit murder is:

**(1) a Level 2 felony if the conspiracy does not result in the death of a person; and**

(2) a Level 1 felony if the conspiracy results in the death of another person.

(b) The state must allege and prove that either the person or the person with whom he or she agreed performed an overt act in furtherance of the agreement.

(c) It is no defense that the person with whom the accused person is alleged to have conspired:

- (1) has not been prosecuted;
- (2) has not been convicted;
- (3) has been acquitted;
- (4) has been convicted of a different crime;
- (5) cannot be prosecuted for any reason; or
- (6) lacked the capacity to commit the crime."

Page 119, delete lines 5 through 42, begin a new paragraph and insert:

"SECTION 83. IC 35-45-17-2, AS ADDED BY P.L.140-2005, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. A person who knowingly or intentionally does any of the following commits panhandling, a Class C misdemeanor:

(1) **Panhandling after sunset and before sunrise:**

(2) **(1) Panhandling when the individual being solicited is:**

(A) at a bus stop;

(B) in a:

- (i) vehicle; or
- (ii) facility;

used for public transportation;

(C) in a motor vehicle that is parked or stopped on a public street or alley, unless the person soliciting the individual has the approval to do so by a unit of local government that has jurisdiction over the public street or alley;

(D) in the sidewalk dining area of a restaurant; ~~or~~

(E) within ~~twenty (20)~~ **fifty (50)** feet of:

(i) an automated teller machine; ~~or~~

(ii) the entrance **or exit** to a bank, **business, or restaurant; or**

**(iii) the location where a financial transaction occurs; or**

**(F) within fifty (50) feet of a public monument.**

(3) **(2) Panhandling while touching the individual being solicited without the solicited individual's consent.**

(4) **(3) Panhandling while the individual being solicited is standing in line and waiting to be admitted to a commercial establishment.**

(5) **(4) Panhandling while blocking:**

(A) the path of the individual being solicited; or

(B) the entrance to a building or motor vehicle.

(6) **(5) Panhandling while using profane or abusive language:**

(A) during a solicitation; or

(B) after the individual being solicited has declined to donate money or something else of value.

(7) **(6) Panhandling while making a statement, a gesture, or another communication to the individual being solicited that would cause a reasonable individual to:**

(A) fear for the individual's safety; or

(B) feel compelled to donate.

(8) **(7) Panhandling with at least one (1) other individual.**

(9) **(8) Panhandling and then following or accompanying the solicited individual without the solicited individual's consent after the solicited individual has declined to donate money or something else of value."**

Page 120, delete lines 1 through 5.

Renummer all SECTIONS consecutively.

(Reference is to ESB 335 as printed February 28, 2020.)

MCNAMARA

Motion prevailed.

## HOUSE MOTION (Amendment 335-2)

Mr. Speaker: I move that Engrossed Senate Bill 335 be amended to read as follows:

Page 10, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 7. IC 9-30-5-1, AS AMENDED BY P.L.63-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A person who operates a vehicle with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol but less than fifteen-hundredths (0.15) gram of alcohol per:

(1) one hundred (100) milliliters of the person's blood; or

(2) two hundred ten (210) liters of the person's breath; commits a Class C misdemeanor.

(b) A person who operates a vehicle with an alcohol concentration equivalent to at least fifteen-hundredths (0.15) gram of alcohol per:

(1) one hundred (100) milliliters of the person's blood; or

(2) two hundred ten (210) liters of the person's breath; commits a Class A misdemeanor.

(c) A person who operates a vehicle with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's ~~body~~ **blood** commits a Class C misdemeanor.

(d) It is a defense to subsection (c) that:

**(1) the accused person consumed the controlled substance in accordance with a valid prescription or order of a practitioner (as defined in IC 35-48-1) who acted in the course of the practitioner's professional practice; or**

**(2) beginning January 1, 2021, the:**

**(A) controlled substance is THC;**

**(B) the amount of THC is less than one (1) nanogram; and**

**(C) the THC was identified by means of a chemical test taken pursuant to IC 9-30-7."**

Renummer all SECTIONS consecutively.

(Reference is to ESB 335 as printed February 28, 2020.)

YOUNG

Motion prevailed.

## HOUSE MOTION (Amendment 335-3)

Mr. Speaker: I move that Engrossed Senate Bill 335 be amended to read as follows:

Page 128, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 93. IC 35-48-4-8.3, AS AMENDED BY P.L.187-2015, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8.3. (a) This section does not apply to a rolling paper.

(b) A person who knowingly or intentionally possesses an instrument, a device, or another object that the person intends to use for:

(1) introducing into the person's body a controlled substance;

(2) testing the strength, effectiveness, or purity of a controlled substance; or

(3) enhancing the effect of a controlled substance;

commits a Class C misdemeanor. However, the offense is a Class A misdemeanor if the person has a prior unrelated judgment or conviction under this section.

**(c) It is a defense to a prosecution under this section that:**

**(1) the instrument, device, or other object is for use with marijuana; and**

**(2) a physician treating the patient has certified in a writing executed within the previous year that:**

**(A) the person suffers from a terminal illness or serious untreatable disease; and**

**(B) in the professional opinion of the physician, the**

**benefits of treatment with marijuana are greater than the risks of treatment with marijuana.**

SECTION 94. IC 35-48-4-11, AS AMENDED BY P.L.153-2018, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) A person who:

- (1) knowingly or intentionally possesses (pure or adulterated) marijuana, hash oil, hashish, or salvia;
  - (2) knowingly or intentionally grows or cultivates marijuana; or
  - (3) knowing that marijuana is growing on the person's premises, fails to destroy the marijuana plants;
- commits possession of marijuana, hash oil, hashish, or salvia, a Class B misdemeanor, except as provided in subsections (b) through (c).

(b) The offense described in subsection (a) is a Class A misdemeanor if:

- (1) the person has a prior conviction for a drug offense; or
- (2) the:

(A) marijuana, hash oil, hashish, or salvia is packaged in a manner that appears to be low THC hemp extract; and

(B) person knew or reasonably should have known that the product was marijuana, hash oil, hashish, or salvia.

(c) The offense described in subsection (a) is a Level 6 felony if:

- (1) the person has a prior conviction for a drug offense; and
- (2) the person possesses:

(A) at least thirty (30) grams of marijuana; or

(B) at least five (5) grams of hash oil, hashish, or salvia.

**(d) It is a defense to a prosecution under this section that:**

**(1) the person possessed less than two (2) ounces of marijuana; and**

**(2) a physician treating the patient has certified in a writing executed within the previous year that:**

**(A) the person suffers from a terminal illness or serious untreatable disease; and**

**(B) in the professional opinion of the physician, the benefits of treatment with marijuana are greater than the risks of treatment with marijuana."**

Renumber all SECTIONS consecutively.

(Reference is to ESB 335 as printed February 28, 2020.)

ERRINGTON

Representative Leonard rose to a point of order, citing Rule 118, stating that the motion was attempting to incorporate into Engrossed Senate Bill 335 a bill pending before the House. The Speaker ruled the point was well taken and the motion was out of order. The bill was ordered engrossed.

### Engrossed Senate Bill 350

Representative T. Brown called down Engrossed Senate Bill 350 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 350-2)

Mr. Speaker: I move that Engrossed Senate Bill 350 be amended to read as follows:

Page 1, delete lines 5 through 15, begin a new paragraph and insert:

**"Sec. 1. This chapter applies to an eligible political subdivision located within the metropolitan planning area of the MPO.**

**Sec. 2. The following definitions apply throughout this chapter:**

**(1) "Eligible political subdivision" means any of the following:**

**(A) A county.**

**(B) A municipality.**

**(C) An airport authority.**

**(D) A commuter transportation district.**

**(E) A regional transportation authority.**

**(F) A port authority.**

**(2) "Metropolitan planning area" of the MPO means the aggregate geographic territory of the following political subdivisions:**

**(A) A county having a population of more than seven hundred thousand (700,000).**

**(B) All eligible political subdivisions in a county having a population of more than seven hundred thousand (700,000).**

**(C) All counties immediately adjacent to a county having a population of more than seven hundred thousand (700,000).**

**(D) All eligible political subdivisions in a county immediately adjacent to a county having a population of more than seven hundred thousand (700,000).**

**(3) "MPO" means the Indianapolis metropolitan planning organization established by section 3 of this chapter."**

Page 2, delete lines 1 through 13.

Page 6, line 38, delete "units" and insert **"political subdivisions"**.

Page 6, line 41, after "authority." insert **"If Marion County and the city of Indianapolis are required to become members of the central Indiana regional development authority under this subsection, Marion County and the city of Indianapolis do not incur any financial obligation because of the fact they have become members of the central Indiana regional development authority. Marion County or the city of Indianapolis can incur a financial obligation in relation to the central Indiana regional development authority only by voluntarily entering into an agreement to undertake the financial obligation."**

Page 11, line 6, after "authority." insert **"The development authority shall pay the cost of any audit by the state board of accounts."**

Page 11, delete lines 12 through 17.

Page 13, line 32, after "executive" insert **", fiscal body, and legislative body"**.

Page 13, line 33, delete "and fiscal and legislative bodies".

Page 14, line 16, after "an" insert **"interlocal agreement."**

Page 14, delete lines 17 through 18.

Renumber all SECTIONS consecutively.

(Reference is to ESB 350 as printed February 28, 2020.)

T. BROWN

Motion prevailed.

HOUSE MOTION  
(Amendment 350-1)

Mr. Speaker: I move that Engrossed Senate Bill 350 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

**"SECTION 1. IC 20-21-2-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 14. The Indiana School for the Deaf and the Indiana School for the Blind and Visually Impaired may not be consolidated, co-located, or relocated after December 31, 2019, unless the consolidation, co-location, or relocation is specifically required or authorized by an act of the general assembly."**

Page 14, between lines 31 and 32, begin a new paragraph and insert:

**"SECTION 4. P.L.137-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019 (RETROACTIVE)]: SECTION 1. (a) The definitions used in IC 20 apply throughout this SECTION."**



(b) As used in this SECTION, "advisory committee" refers to the task force advisory committee established in subsection (g).

(c) As used in this SECTION, "task force" refers to the Indiana Schools for the Deaf and the Blind or Visually Impaired task force established in subsection (d).

(d) The Indiana Schools for the Deaf and the Blind or Visually Impaired task force is established to evaluate and make recommendations to the budget committee relating to the operation of the physical plants of the Indiana School for the Deaf and the Indiana School for the Blind or Visually Impaired. The task force consists of the following members:

- (1) The superintendent of the Indiana School for the Deaf, or the superintendent's designee.
- (2) The superintendent of the Indiana School for the Blind or Visually Impaired, or the superintendent's designee.
- (3) The commissioner of the department of administration created by IC 4-13-1-2, or the commissioner's designee.
- (4) One (1) member, who is an alumnus of the Indiana School for the Deaf, appointed by the governor.
- (5) One (1) member, who is an alumnus of the Indiana School for the Blind or Visually Impaired, appointed by the governor.
- (6) One (1) member who is a parent of a current full-time student at the Indiana School for the Deaf, appointed by the governor.
- (7) One (1) member who is a parent of a current full-time student at the Indiana School for the Blind or Visually Impaired, appointed by the governor.
- (8) One (1) member of the senate, appointed by the president pro tempore of the senate.
- (9) One (1) member of the house of representatives, appointed by the speaker of the house of representatives.

(e) The chairperson of the legislative council during the 2019 interim shall appoint one (1) of the members under subsection (d) to serve as chairperson of the task force. The task force shall meet at the call of the chairperson of the task force. Each member appointed under subsection (d) serves at the will of the member's appointing authority. A quorum of the task force consists of five (5) members. The affirmative vote of at least five (5) members is necessary for the task force to approve the final report and for other official action of the task force.

(f) The task force shall do the following:

- (1) On or before December 1, 2019, make recommendations to the budget committee as to whether the Indiana School for the Deaf and the Indiana School for the Blind or Visually Impaired should be combined into a single campus.
- (2) If the task force does not recommend combining the schools described in subdivision (1) into a single campus, the task force shall evaluate and make recommendations to the budget committee regarding how to implement master plans for the Indiana School for the Deaf and the Indiana School for the Blind or Visually Impaired for the next:
  - (A) five (5) years;
  - (B) ten (10) years; and
  - (C) fifteen (15) years.
- (3) If the task force recommends combining the schools described in subdivision (1) into a single campus, the task force shall evaluate and make recommendations to the budget committee regarding potential options for combining the campuses of the schools described in subdivision (1) and include a cost analysis of each potential solution that incorporates the savings projected by not operating two (2) separate campuses.
- (4) Make final recommendations that comply with Article 9, Section 1 of the Constitution of the State of Indiana to the budget committee on or before December 1, 2020.

**A recommendation to the budget committee under this subsection is advisory only and does not have the force of law.**

(g) The task force advisory committee is established to advise the task force, in a manner prescribed by the task force, on matters necessary for the task force to carry out its responsibilities under this SECTION. The advisory committee is composed of the following members:

- (1) The operations director for the Indiana School for the Deaf.
- (2) The operations director for the Indiana School for the Blind or Visually Impaired.
- (3) The budget director, or the budget director's designee.
- (4) The commissioner of the commission for higher education, or the commissioner's designee.
- (5) The superintendent of public instruction, or the superintendent of public instruction's designee.
- (6) One (1) member representing the construction industry, appointed by the governor.
- (7) One (1) member who is a parent of a student who:
  - (A) is deaf or hard of hearing; and
  - (B) attends a public school that is not a charter school; appointed by the governor.
- (8) One (1) member who is a parent of a student who:
  - (A) is blind; and
  - (B) attends a public school that is not a charter school; appointed by the governor.
- (9) One (1) member, nominated by Indiana Disability Rights and appointed by the governor.

(h) The chairperson of the legislative council during the 2019 interim shall appoint one (1) of the members under subsection (g) to serve as chairperson of the advisory committee. The advisory committee shall meet at the call of the chairperson of the task force or the chairperson of the advisory committee. Each member appointed by the governor under subsection (g) serves at the will of the governor. A quorum of the advisory committee consists of five (5) members. The advisory committee shall make recommendations and advise the task force in a manner prescribed by the chairperson of the task force.

(i) The department of administration created by IC 4-13-1-2 shall provide staffing and administrative support for the task force and the advisory committee necessary for the task force and advisory committee to carry out their duties and responsibilities under this SECTION.

(j) Each member of the task force or advisory committee who is not a state employee or a member of the general assembly is not entitled to the minimum salary per diem or reimbursement for traveling expenses and other expenses. Each member of the task force or advisory committee who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the department of administration and approved by the budget agency. Each member of the task force who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.

(k) Meetings of the task force and the advisory committee must comply with IC 5-14-1.5.

(l) This SECTION expires January 1, 2021."

Renumber all SECTIONS consecutively.

(Reference is to ESB 350 as printed February 28, 2020.)

PORTER

Upon request of Representatives Pryor and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 252: yeas 31, nays 61. Motion failed. The bill was ordered engrossed.



**Engrossed Senate Bill 365**

Representative Soliday called down Engrossed Senate Bill 365 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 365-1)

Mr. Speaker: I move that Engrossed Senate Bill 365 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 6-1.1-20.3-18 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: **Sec. 18. (a) If for any year the reduction of a township's property tax revenue attributable to the credits provided under IC 6-1.1-20.6 to taxpayers within the township equals or exceeds forty percent (40%) of the township's property tax levy, the executive of the township, upon approval by the fiscal body of the township, may apply to the board for a circuit breaker replacement grant in the manner prescribed by the board.**

**(b) The board may approve an application for a circuit breaker replacement grant submitted under subsection (a) for any amount that does not exceed fifty percent (50%) of the reduction of the township's property tax revenue attributable to the credits provided by IC 6-1.1-20.6, regardless of the amount requested, subject to the availability of money. The board shall pay a circuit breaker replacement grant approved under this section from money appropriated to the board."**

Renumber all SECTIONS consecutively.

(Reference is to ESB 365 as printed February 28, 2020.)

PORTER

Motion failed.

HOUSE MOTION  
(Amendment 365-3)

Mr. Speaker: I move that Engrossed Senate Bill 365 be amended to read as follows:

Page 1, line 7, reset in roman "in 2015 or".

Page 1, line 7, reset in roman "thereafter".

Page 1, line 7, delete "after 2014 and".

Delete page 2.

Page 3, delete lines 1 through 17.

Page 3, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 2. IC 36-1-1.5-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5.5. For purposes of this chapter, a township is adjacent to an eligible municipality if the township is contiguous to or adjoins the corporate boundaries of the eligible municipality.**

SECTION 3. IC 36-1-1.5-9, AS AMENDED BY P.L.129-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 9. The following apply if at least two-thirds (2/3) of the voters voting in a special election under section 8 of this chapter vote "yes" on the public question under section 8 of this chapter:**

- (1) The legislative body of the eligible municipality may, within ~~one (1) year~~ **two (2) years** after the special election **under section 8 of this chapter**, submit a petition to one (1) or more adjacent townships requesting an adjacent township to accept the transfer of the territory of the eligible municipality that is within the transferor township.
- (2) The legislative body of an adjacent township that receives a petition under subdivision (1) may adopt a **preliminary** resolution accepting the transfer of the territory of the eligible municipality that is within the transferor township and specifying the date on which the

~~transfer is effective; a special election under section 10.5 of this chapter will be held.~~ However, the legislative body of the adjacent township may adopt a **preliminary** resolution accepting the transfer of the territory of the eligible municipality only within the two (2) year period following the date on which the legislative body receives the petition.

(3) If the legislative body of the eligible municipality submits a petition to one (1) or more adjacent townships under subdivision (1) within ~~one (1) year~~ **two (2) years** after the special election **under section 8 of this chapter**, but a resolution accepting the transfer of the territory of the eligible municipality within the transferor township is not adopted by the legislative body of an adjacent township within the two (2) year period following the date on which the last legislative body of a township receives such a petition **or the legislative body of an adjacent township adopts a resolution rejecting the transfer of the territory of the eligible municipality within the transferor township:**

(A) the territory of the eligible municipality may not be transferred **to an adjacent township** under this chapter; ~~and~~

(B) a subsequent special election under **section 8** of this chapter may not be held in the eligible municipality; ~~and~~

**(C) the eligible municipality shall assume the duties and responsibilities of township government in the territory of the transferor township that is located within the eligible municipality as provided in IC 36-1-1.6.**

(4) If the legislative body of the eligible municipality does not submit a petition to one (1) or more adjacent townships under subdivision (1) within ~~one (1) year~~ **two (2) years** after the special election **under section 8 of this chapter:**

(A) the territory of the eligible municipality may not be transferred under this chapter; ~~and~~

(B) a subsequent special election under **section 8** of this chapter may not be held in the eligible municipality.

SECTION 4. IC 36-1-1.5-10.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 10.5. The following apply if the legislative body of an adjacent township adopts a preliminary resolution accepting transfer of the territory of the eligible municipality that is within the transferor township under section 9(2) of this chapter:**

(1) The clerk of the adjacent township shall certify the preliminary resolution to the county election board.

(2) A special election on the public question shall be held in the adjacent township in the manner prescribed by IC 3-10-8-6. The special election shall be held on a date that:

(A) is specified by the legislative body of the adjacent township in the preliminary resolution; ~~and~~

(B) is not more than one (1) year after the date on which the clerk of the adjacent township certifies the preliminary resolution to the county election board.

(3) The clerk of the adjacent township shall give notice of the special election by publication in the manner prescribed by IC 5-3-1.

(4) The eligible municipality shall pay the costs of holding the special election.

(5) The county election board shall place the following question on the ballot in the adjacent township:

"Shall the territory of \_\_\_\_\_ (insert the name of the eligible municipality) be transferred

from \_\_\_\_\_ (insert the name of the transferor township) to \_\_\_\_\_ (insert name of adjacent township?)."

(6) After the special election on the public question is held, the county election board:

(A) shall file with the clerk of the adjacent township the results of the special election for each precinct of the adjacent township in the manner prescribed by IC 3-12-4; and

(B) shall certify a copy of the results of the special election to:

- (i) the county auditor;
- (ii) the legislative body and executive of the adjacent township;
- (iii) the legislative body and executive of the eligible municipality; and
- (iv) the legislative body and executive of each township that includes territory of the eligible municipality.

SECTION 5. IC 36-1-1.5-11, AS ADDED BY P.L.234-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) If:

- (1) the legislative body of a township that receives a petition under section 9(2) of this chapter adopts a preliminary resolution accepting the transfer of the eligible municipality's territory that is within the transferor township as provided in section 9(2) of this chapter; and
- (2) at least two-thirds (2/3) of the voters voting in a special election under section 10.5 of this chapter vote "yes" on the public question under section 10.5 of this chapter;

the territory of the eligible municipality that is within the transferor township is transferred to and becomes part of the township adopting the resolution on the date specified in the resolution.

(b) If:

- (1) more than one (1) adjacent township adopts a preliminary resolution as provided in section 9(2) of this chapter accepting the transfer of the territory of the eligible municipality that is within the transferor township; and
- (2) at least two-thirds (2/3) of the voters voting in a special election under section 10.5 of this chapter vote "yes" on the public question under section 10.5 of this chapter in more than one (1) adjacent township;

the territory of the eligible municipality that is within the transferor township is transferred to and becomes part of the township that is first to adopt the preliminary resolution."

Renumber all SECTIONS consecutively.

(Reference is to ESB 365 as printed February 28, 2020.)

PORTER

Motion failed. The bill was ordered engrossed.

### Engrossed Senate Bill 367

Representative Aylesworth called down Engrossed Senate Bill 367 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 367-1)

Mr. Speaker: I move that Engrossed Senate Bill 367 be amended to read as follows:

Page 2, delete lines 38 through 42.

Page 3, delete lines 1 through 23.

Renumber all SECTIONS consecutively.

(Reference is to ESB 367 as printed February 28, 2020.)

LEHMAN

Motion prevailed. The bill was ordered engrossed.

### Engrossed Senate Bill 395

Representative Burton called down Engrossed Senate Bill 395 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

### Engrossed Senate Bill 408

Representative T. Brown called down Engrossed Senate Bill 408 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 408-1)

Mr. Speaker: I move that Engrossed Bill 408 be amended to read as follows:

Page 40, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 27. IC 6-3-3-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 11. (a) Each taxable year, an individual who is eligible to claim the federal child and dependent care tax credit under Section 21 of the Internal Revenue Code is entitled to a credit against the individual's (and the individual's spouse's in the case of a joint return) adjusted gross income tax liability equal to:

- (1) the allowable amount of the federal child and dependent care tax credit that the taxpayer claimed on the taxpayer's federal income tax return for the taxable year under Section 21 of the Internal Revenue Code; multiplied by
- (2) the following percentage:

(A) If the adjusted gross income of the individual, and the individual's spouse in the case of a joint return, is forty thousand dollars (\$40,000) or less, one hundred percent (100%).

(B) If the adjusted gross income of the individual, and the individual's spouse in the case of a joint return, is greater than forty thousand dollars (\$40,000) and not more than sixty thousand dollars (\$60,000), seventy-five percent (75%).

(C) If the adjusted gross income of the individual, and the individual's spouse in the case of a joint return, is greater than sixty thousand dollars (\$60,000) and not more than eighty thousand dollars (\$80,000), fifty percent (50%).

(D) If the adjusted gross income of the individual, and the individual's spouse in the case of a joint return, is greater than eighty thousand dollars (\$80,000) and not more than one hundred thousand dollars (\$100,000), twenty-five percent (25%).

If the adjusted gross income of the individual, and the individual's spouse in the case of a joint return, is greater than one hundred thousand dollars (\$100,000), the individual is not entitled to a credit against the individual's adjusted gross income tax liability.

(b) If the credit provided by this section exceeds the amount of the taxpayer's adjusted gross income tax liability for the taxable year, reduced by the sum of all credits for the taxable year that are applied before the application of the credit provided by this section, the excess shall be refunded to the taxpayer."

Page 82, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 62. [EFFECTIVE JANUARY 1, 2021] (a) IC 6-3-3-11, as added by this act, applies to taxable years beginning after December 31, 2020.

(b) This SECTION expires June 30, 2023."

Renumber all SECTIONS consecutively.

(Reference is to ESB 408 as printed February 28, 2020.)

HAMILTON

Upon request of Representatives Pryor and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 253: yeas 31, nays 61. Motion failed.

HOUSE MOTION  
(Amendment 408-2)

Mr. Speaker: I move that Engrossed Senate Bill 408 be amended to read as follows:

Page 2, delete lines 32 through 34.  
Page 2, line 35, delete "(e)" and insert "(d)".  
Page 2, line 38, delete "(f)" and insert "(e)".  
Page 3, line 3, delete "(g)" and insert "(f)".  
Page 3, line 8, delete "(h)" and insert "(g)".  
Renummer all SECTIONS consecutively.  
(Reference is to ESB 408 as printed February 28, 2020.)

HARRIS

Upon request of Representatives Karickhoff and Torr, the Speaker ordered the roll of the House to be called. Roll Call 254: yeas 92, nays 0. Motion prevailed.

HOUSE MOTION  
(Amendment 408-4)

Mr. Speaker: I move that Engrossed Senate Bill 408 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-7-1-18 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 18. Notwithstanding any other law, any money received or recovered by the state that is related to, is attributable to, or otherwise arises from state board of accounts audit number S4446 filed February 12, 2020, concerning the Indiana Virtual Education Foundation, Inc., doing business as the Indiana Virtual School and the Indiana Virtual Pathways Academy, regardless of when the money is received or whether the money is voluntarily returned or obtained by judgment, settlement, or any other method, shall be deposited in the Indiana secured school fund established by IC 10-21-1-2 for the secured school safety board's use in making matching grants to applicants under IC 10-21-1.**"

Renummer all SECTIONS consecutively.  
(Reference is to ESB 408 as printed February 28, 2020.)

PORTER

Upon request of Representatives Pryor and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 255: yeas 29, nays 61. Motion failed.

Representative Hatcher, who had been present, is now excused.

HOUSE MOTION  
(Amendment 408-5)

Mr. Speaker: I move that Engrossed Senate Bill 408 be amended to read as follows:

Page 44, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 28. IC 6-3-3-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 15. (a) This section applies only to taxable years beginning after December 31, 2020.**

**(b) As used in this section, "student loan interest" means the total amount of interest paid on any qualified education loan (as defined in Section 221 of the Internal Revenue Code).**

**(c) Each taxable year, a resident individual is entitled to a credit against the individual's adjusted gross income tax liability for student loan interest. The amount of the credit is the lesser of:**

- (1) five hundred dollars (\$500); or**
- (2) the total amount expended for student loan interest**

**during a taxable year.**

**(d) In the case of a married couple filing a joint return, the maximum amount allowed as a credit under this section is one thousand dollars (\$1,000).**

**(e) If the credit provided by this section exceeds the amount of the individual's adjusted gross income tax liability for the taxable year, reduced by the sum of all credits for the taxable year that are applied before the application of the credit provided by this section, the excess may be claimed as a refundable tax credit."**

Page 82, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 62. [EFFECTIVE UPON PASSAGE] **(a) Not later than September 1, 2020, the department of state revenue shall prescribe a tax form for the student loan interest credit created by IC 6-3-3-15, as added by this act.**

**(b) The department of state revenue shall provide the form described in subsection (a) to the state budget committee not later than October 1, 2020.**

**(c) This SECTION expires December 31, 2020.**

SECTION 63. [EFFECTIVE UPON PASSAGE] **(a) Not later than September 1, 2020, the Indiana commission for higher education shall:**

**(1) investigate and study the feasibility of transferring an amount up to one hundred twenty million dollars (\$120,000,000) in unrestricted funds from the Indiana secondary market for education loans to the state general fund; and**

**(2) prepare and submit a report with its findings under subsection (a) to the state budget committee.**

**(b) This SECTION expires December 31, 2020."**

Renummer all SECTIONS consecutively.  
(Reference is to ESB 408 as printed February 28, 2020.)

PORTER

Upon request of Representatives Pryor and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 256: yeas 30, nays 62. Motion failed.

HOUSE MOTION  
(Amendment 408-8)

Mr. Speaker: I move that Engrossed Senate Bill 408 be amended to read as follows:

Page 38, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 24. IC 6-3-2-1, AS AMENDED BY P.L.212-2018(ss), SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: **Sec. 1. (a) Each taxable year, a tax at the following rate of adjusted gross income is imposed upon the adjusted gross income of every resident person, and on that part of the adjusted gross income derived from sources within Indiana of every nonresident person:**

**(1) For taxable years beginning before January 1, 2015, three and four-tenths percent (3.4%).**

**(2) For taxable years beginning after December 31, 2014, and before January 1, 2017, three and three-tenths percent (3.3%).**

**(3) For taxable years beginning after December 31, 2016, three and twenty-three hundredths percent (3.23%).**

**(b) Except as provided in section 1.5 of this chapter (before its expiration), each taxable year, a tax at the following rate of adjusted gross income is imposed on that part of the adjusted gross income derived from sources within Indiana of every corporation:**

**(1) Before July 1, 2012, eight and five-tenths percent (8.5%).**

**(2) After June 30, 2012, and before July 1, 2013, eight percent (8.0%).**

**(3) After June 30, 2013, and before July 1, 2014, seven**

and five-tenths percent (7.5%).

(4) After June 30, 2014, and before July 1, 2015, seven percent (7.0%).

(5) After June 30, 2015, and before July 1, 2016, six and five-tenths percent (6.5%).

(6) After June 30, 2016, and before July 1, 2017, six and twenty-five hundredths percent (6.25%).

(7) After June 30, 2017, and before July 1, 2018, six percent (6.0%).

(8) After June 30, 2018, and before July 1, 2019, five and seventy-five hundredths percent (5.75%).

(9) After June 30, 2019, and before July 1, 2020, five and five-tenths percent (5.5%).

~~(10) After June 30, 2020, and before July 1, 2021, five and twenty-five hundredths percent (5.25%).~~

~~(11) After June 30, 2021, four and nine-tenths percent (4.9%).~~

(c) If for any taxable year a taxpayer is subject to different tax rates under subsection (b), the taxpayer's tax rate for that taxable year is the rate determined in the last STEP of the following STEPS:

STEP ONE: Multiply the number of days in the taxpayer's taxable year that precede the day the rate changed by the rate in effect before the rate change.

STEP TWO: Multiply the number of days in the taxpayer's taxable year that follow the day before the rate changed by the rate in effect after the rate change.

STEP THREE: Divide the sum of the amounts determined under STEPS ONE and TWO by the number of days in the taxpayer's tax period.

However, the rate determined under this subsection shall be rounded to the nearest one-hundredth of one percent (0.01%)."

Page 44, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 29. IC 6-3-3-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: **Sec. 15.**

**(a) As used in this section, "qualified textbook and curricular material expenditure" means any fee or charge paid in connection with the textbooks or curricular materials of a child attending an Indiana public school.**

**(b) Each taxable year, an individual who is the parent or guardian of a child attending an Indiana public school is entitled to a refundable credit against the individual's adjusted gross income tax liability for amounts expended during the taxable year on qualified textbook and curricular material expenditures.**

**(c) The amount of a credit allowed under this section is equal to one hundred percent (100%) of the amount expended by the individual during the taxable year on qualified textbook and curricular material expenditures."**

Page 50, between lines 36 and 37, begin a new paragraph and insert:

"SECTION 40. IC 6-5.5-2-1, AS AMENDED BY P.L.80-2014, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: **Sec. 1.** (a) There is imposed on each taxpayer a franchise tax measured by the taxpayer's apportioned income for the privilege of exercising its franchise or the corporate privilege of transacting the business of a financial institution in Indiana. The amount of the tax for a taxable year shall be determined by multiplying the applicable rate under subsection (b) times the remainder of:

(1) the taxpayer's apportioned income; minus

(2) the taxpayer's deductible Indiana net operating losses as determined under this section; minus

(3) the taxpayer's net capital losses minus the taxpayer's net capital gains computed under the Internal Revenue Code for each taxable year or part of a taxable year beginning after December 31, 1989, multiplied by the

apportionment percentage applicable to the taxpayer under this chapter for the taxable year of the loss.

A net capital loss for a taxable year is a net capital loss carryover to each of the five (5) taxable years that follow the taxable year in which the loss occurred.

(b) The following are the applicable tax rates to be used under subsection (a):

(1) For taxable years beginning before January 1, 2014, eight and five-tenths percent (8.5%).

(2) For taxable years beginning after December 31, 2013, and before January 1, 2015, eight percent (8.0%).

(3) For taxable years beginning after December 31, 2014, and before January 1, 2016, seven and five-tenths percent (7.5%).

(4) For taxable years beginning after December 31, 2015, and before January 1, 2017, seven percent (7.0%).

(5) For taxable years beginning after December 31, 2016, and before January 1, 2019, six and five-tenths percent (6.5%).

(6) For taxable years beginning after December 31, 2018, and before January 1, 2020, six and twenty-five hundredths percent (6.25%).

(7) For taxable years beginning after December 31, 2019, and before January 1, 2021, six percent (6.0%).

~~(8) For taxable years beginning after December 31, 2020, and before January 1, 2022, five and five-tenths percent (5.5%).~~

~~(9) For taxable years beginning after December 31, 2021, and before January 1, 2023, five percent (5.0%).~~

~~(10) For taxable years beginning after December 31, 2022, four and nine-tenths percent (4.9%).~~

(c) The amount of net operating losses deductible under subsection (a) is an amount equal to the net operating losses computed under the Internal Revenue Code, adjusted for the items set forth in IC 6-5.5-1-2, that are:

(1) incurred in each taxable year, or part of a year, beginning after December 31, 1989; and

(2) attributable to Indiana.

(d) The following apply to determining the amount of net operating losses that may be deducted under subsection (a):

(1) The amount of net operating losses that is attributable to Indiana is the taxpayer's total net operating losses under the Internal Revenue Code for the taxable year of the loss, adjusted for the items set forth in IC 6-5.5-1-2, multiplied by the apportionment percentage applicable to the taxpayer under this chapter for the taxable year of the loss.

(2) A net operating loss for any taxable year is a net operating loss carryover to each of the fifteen (15) taxable years that follow the taxable year in which the loss occurred.

(e) The following provisions apply to a combined return computing the tax on the basis of the income of the unitary group when the return is filed for more than one (1) taxpayer member of the unitary group for any taxable year:

(1) Any net capital loss or net operating loss attributable to Indiana in the combined return shall be prorated between each taxpayer member of the unitary group by the quotient of:

(A) the receipts of that taxpayer member attributable to Indiana under section 4 of this chapter; divided by

(B) the receipts of all taxpayer members of the unitary group attributable to Indiana.

(2) The net capital loss or net operating loss for that year, if any, to be carried forward to any subsequent year shall be limited to the capital gains or apportioned income for the subsequent year of that taxpayer, determined by the same receipts formula set out in subdivision (1)."

Page 78, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 60. IC 20-33-5-16 IS ADDED TO THE

INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 16.** The department shall determine the annual cost to fully fund the curricular reimbursement program as provided under section 9.5 of this chapter for each public school corporation and shall not later than July 1, 2021, and each successive year thereafter, calculate in percentage terms the shortfall that each public school corporation is responsible for and shall report those results on the Indiana transparency Internet web site."

Page 82, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 65. [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)] (a) IC 6-3-3-15, as added by this act, applies to taxable years beginning after December 31, 2019.

(b) This SECTION expires June 30, 2023."

Renumber all SECTIONS consecutively.

(Reference is to ESB 408 as printed February 28, 2020.)

PORTER

Upon request of Representatives Pryor and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 257: yeas 29, nays 62. Motion failed. The bill was ordered engrossed.

#### Engrossed Senate Bill 409

Representative Lyness called down Engrossed Senate Bill 409 for second reading. The bill was read a second time by title.

#### HOUSE MOTION

(Amendment 409-6)

Mr. Speaker: I move that Engrossed Bill 409 be amended to read as follows:

Page 18, line 20, delete "(section" and insert "(as set forth in section".

Page 20, line 4, delete "is".

Page 20, line 6, delete "is".

Page 31, line 34, delete "section" and insert "chapter".

Page 32, line 26, delete "(section" and insert "(as set forth in section".

Page 37, line 5, after "department" insert ".".

Page 37, delete lines 6 through 7.

Page 37, delete lines 16 through 28.

Page 37, line 32, delete "payment of the annual registration".

Page 37, line 33, delete "fee and" and insert "the".

Page 38, line 36, delete "register, a failure to pay the annual" and insert "register".

Page 38, line 37, delete "registration fee, or failing" and insert "or failure".

Page 40, line 6, delete "registrations under section 26 of this".

Page 40, line 7, delete "chapter and".

(Reference is to ESB 409 as printed February 25, 2020.)

HUSTON

Motion prevailed.

#### HOUSE MOTION

(Amendment 409-5)

Mr. Speaker: I move that Engrossed Senate Bill 409 be amended to read as follows:

Page 11, line 40, reset in roman "subsections".

Page 11, line 40, delete "subsection".

Page 11, line 40, after "(d)" delete ",".

Page 11, line 40, reset in roman "and".

Page 11, line 40, after "(f)," insert "(e)".

Page 12, between lines 4 and 5, begin a new paragraph and insert:

"(d) Except as provided in subsection (e), every employer employing at least twenty (20) employees during a work week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any

work week beginning on or after July 1, 2021, an hourly wage of not less than an amount equal to the quotient of:

(1) the annual salary of a member of the general assembly as determined under IC 2-3-1-1(a) for the following calendar year; divided by

(2) two thousand eighty (2,080) hours.

The department shall calculate the hourly wage required under this subsection, and issue a notice to all employers subject to this chapter before June 1, 2021. Thereafter, if the department determines that there has been a change in the amount required under this subsection, the department shall issue a notice to all employers subject to this chapter as soon as practicable. The office of judicial administration shall provide the department with information necessary to make the determinations required by this subsection."

Page 12, line 5, strike "(d)" and insert "(e)".

Page 12, line 5, after "(c)" insert "or (d)".

Page 12, line 19, delete "." and insert "or (d)".

Page 12, line 22, strike "(e)" and insert "(f)".

Page 12, line 41, reset in roman "(g)".

Page 12, line 41, delete "(f)".

Page 13, line 4, reset in roman "(h)".

Page 13, line 4, delete "(g)".

Page 13, line 6, reset in roman "(g)".

Page 13, line 6, delete "(f)".

Page 14, line 11, reset in roman "(g)".

Page 14, line 11, delete "(f)".

Page 14, line 27, reset in roman "(g)".

Page 14, line 27, delete "(f)".

Page 14, line 31, reset in roman "(i)".

Page 14, line 31, delete "(h)".

Page 14, line 32, reset in roman "(g)".

Page 14, line 32, delete "(f)".

Page 14, line 33, reset in roman "(g)".

Page 14, line 33, delete "(f)".

Page 15, line 13, reset in roman "(g)".

Page 15, line 13, delete "(f)".

Page 15, line 17, reset in roman "(j)".

Page 15, line 17, delete "(i)".

Page 15, line 18, reset in roman "(g)".

Page 15, line 18, delete "(f)".

Page 15, line 19, reset in roman "(g)".

Page 15, line 20, delete "(f)".

Page 15, line 26, after "(c)" insert ",".

Page 15, line 26, delete "and".

Page 15, line 26, after "(d)" insert ",".

Page 15, line 26, after "(f)," insert "or (e)".

Page 15, line 32, reset in roman "(k)".

Page 15, line 32, delete "(j)".

Page 15, line 33, reset in roman "(g)".

Page 15, line 33, delete "(f)".

Page 16, line 19, reset in roman "(l)".

Page 16, line 19, delete "(k)".

Page 16, line 22, reset in roman "(m)".

Page 16, line 22, delete "(l)".

Page 16, line 23, reset in roman "(g)".

Page 16, line 23, delete "(f)".

Page 16, line 37, reset in roman "(n)".

Page 16, line 37, delete "(m)".

Page 16, line 41, reset in roman "(g)".

Page 16, line 41, delete "(f)".

Page 17, line 8, reset in roman "(o)".

Page 17, line 8, delete "(n)".

Page 17, line 11, reset in roman "(g)".

Page 17, line 11, delete "(f)".

Page 17, line 12, reset in roman "(p)".

Page 17, line 12, delete "(o)".

Page 17, line 17, reset in roman "(g)".

Page 17, line 17, delete "(f)".

Page 17, line 25, reset in roman "(q)".

Page 17, line 25, delete "(p)".  
 Page 17, line 27, reset in roman "(g)".  
 Page 17, line 28, delete "(f)".  
 Page 17, line 29, reset in roman "(g)".  
 Page 17, line 29, delete "(f)".  
 Page 17, line 36, reset in roman "(r)".  
 Page 17, line 36, delete "(q)".  
 Page 17, line 36, reset in roman "(g)".  
 Page 17, line 36, delete "(f)".  
 Page 17, line 38, reset in roman "(s)".  
 Page 17, line 38, delete "(r)".  
 Page 17, line 38, reset in roman "(g)".  
 Page 17, line 38, delete "(f)".  
 Page 18, line 1, reset in roman "(t)".  
 Page 18, line 1, delete "(s)".  
 Page 18, line 1, reset in roman "(g)".  
 Page 18, line 1, delete "(f)".  
 (Reference is to ESB 409 as printed February 25, 2020.)

PRYOR

Representative Leonard rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. After discussion, Representative Leonard withdrew the point of order.

Upon request of Representatives Pryor and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 258: yeas 29, nays 62. Motion failed.

#### HOUSE MOTION (Amendment 409-7)

Mr. Speaker: I move that Engrossed Senate Bill 409 be amended to read as follows:

Page 23, between lines 14 and 15, begin a new paragraph and insert:

**"(c) Subject to section 19(c) of this chapter, an employer is only subject to penalties under subsection (b) for violations occurring at the employer's enterprise."**

Page 29, between lines 9 and 10, begin a new paragraph and insert:

**"(c) The requirement for an employee who is at least eighteen (18) years of age to also work in the establishment under subsection (b) does not apply if the establishment does not open to the public until after 6 a.m. and closes to the public before 10 p.m."**

Page 29, line 10, delete "(c)" and insert "(d)".

Page 36, between lines 32 and 33, begin a new paragraph and insert:

**"(c) The requirement for an employee who is at least eighteen (18) years of age to also work in the establishment under subsection (b) does not apply if the establishment does not open to the public until after 6 a.m. and closes to the public before 10 p.m."**

Page 36, line 33, delete "(c)" and insert "(d)".

(Reference is to ESB 409 as printed February 25, 2020.)

NEGELE

Motion prevailed.

#### HOUSE MOTION (Amendment 409-2)

Mr. Speaker: I move that Engrossed Senate Bill 409 be amended to read as follows:

Page 28, between lines 32 and 33, begin a new paragraph and insert:

**"Sec. 39.5. (a) Every person, firm, corporation, or company that employs a minor who is less than eighteen (18) years of age shall, and has a duty to, collect and maintain information for an emergency contact person for each minor.**

**(b) If a minor:**

**(1) fails to arrive for the minor's scheduled employment; and**  
**(2) has not contacted the person, firm, corporation, or company that employs the minor within the first hour of the scheduled employment;**

**the person, firm, corporation, or company shall, and has a duty to, immediately contact the emergency contact person.**

**(c) A person, firm, corporation, or company that fails:**

**(1) to maintain information for an emergency contact person; or**

**(2) to contact an emergency contact person;**

**under this section commits a Class C infraction. However, the violation is a Class B infraction if the person has a prior unrelated judgment under this section."**

Page 36, between lines 15 and 16, begin a new paragraph and insert:

**"Sec. 22.5. (a) Every employer that employs a minor who is less than eighteen (18) years of age shall, and has a duty to, collect and maintain information for an emergency contact person for each minor.**

**(b) If a minor:**

**(1) fails to arrive for the minor's scheduled employment; and**

**(2) has not contacted the employer that employs the minor within the first hour of the scheduled employment;**

**the employer shall, and has a duty to, immediately contact the emergency contact person.**

**(c) An employer that fails:**

**(1) to maintain information for an emergency contact person; or**

**(2) to contact an emergency contact person;**

**under this section commits a Class B infraction. However, the violation is a Class A infraction if the employer has a prior unrelated judgment under this section."**

(Reference is to ESB 409 as printed February 25, 2020.)

DEAL

Motion failed.

Representative DeVon, who had been present, is now excused.

#### HOUSE MOTION (Amendment 409-8)

Mr. Speaker: I move that Engrossed Senate Bill 409 be amended to read as follows:

Page 18, between lines 6 and 7, begin a new paragraph and insert:

**"SECTION 15. IC 22-2-2-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. Any employer who violates the provisions of section 4 of this chapter shall be liable to the employee or employees affected in the amount of their unpaid ~~minimum~~ wages and benefits, and in an equal additional amount as liquidated damages, along with compensatory and punitive damages. An action to recover such liability may be maintained within three (3) years after the cause of action ~~therefor~~ arises in the circuit or superior court of the county in which the services out of which the claim arises were performed or in which the defendant resides or transacts business. Such action may be brought by any one (1) or more employees for and on behalf of ~~himself~~ the employee or ~~themselves~~ employees and all other employees of the same employer who are similarly situated. No employee shall be a party plaintiff to any such action unless he gives his consent the employee consents in writing to become such a party and such consent is filed in the court in which such action is brought. The court in such action shall, in addition to any judgment awarded to the plaintiffs, allow recovery of a reasonable attorney's fee and costs of the action. No contract or agreement between the employee and the employer nor any acceptance of a lesser wage by the employee shall be a defense to the action."**

Renumber all SECTIONS consecutively.  
(Reference is to ESB 409 as printed February 25, 2020.)  
ERRINGTON

Upon request of Representatives Errington and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 259: yeas 33, nays 58. Motion failed. The bill was ordered engrossed.

#### Engrossed Senate Bill 433

Representative Lindauer called down Engrossed Senate Bill 433 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 433-1)

Mr. Speaker: I move that Engrossed Senate Bill 433 be amended to read as follows:

Page 2, line 28, after "5." insert "(a)".

Page 2, between lines 29 and 30, begin a new paragraph and insert:

**"(b) In the adoption of a rule under subsection (a):**

**(1) the public hearing held under IC 4-22-2-26 concerning the proposed rule; and**

**(2) any additional public meeting concerning the proposed rule that is held by:**

**(A) the commission; or**

**(B) officers or employees of the department or any other individuals authorized under IC 4-22-2-15 to perform rulemaking actions other than the final adoption of the rule;**

**may be held only in a county that borders Lake Michigan."**

Page 3, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 4. IC 34-30-19.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

**Chapter 19.5. Immunity of Owner of Property Adjacent to Lake Michigan**

**Sec. 1. As used in this chapter, "owner" means a person that:**

**(1) has a fee interest in;**

**(2) is a tenant, lessee, or occupant of; or**

**(3) is otherwise legally in control of;**

**a private property that is adjacent to Lake Michigan.**

**Sec. 2. As used in this chapter, "private property" means a property whose owner is a person other than the state of Indiana.**

**Sec. 3. (a) The owner of a private property that is adjacent to Lake Michigan does not assume responsibility or incur liability for an injury to an individual or damage to property that:**

**(1) occurs after June 30, 2020, when an individual is crossing the private property:**

**(A) to enter; or**

**(B) upon leaving;**

**the area of the beach of Lake Michigan that the public has a vested right to use for recreational purposes; and**

**(2) is caused by:**

**(A) an act or omission of a person other than the owner;**

**(B) an act or omission of the owner, except for an act of the owner constituting intentional misconduct; or**

**(C) the condition of the property.**

**(b) This section does not affect the following:**

**(1) Existing Indiana case law on the liability of property owners with respect to:**

**(A) business invitees in commercial establishments; or**

**(B) invited guests.**

**(2) The attractive nuisance doctrine."**

Renumber all SECTIONS consecutively.

(Reference is to ESB 433 as printed February 28, 2020.)

MILLER

Motion prevailed. The bill was ordered engrossed.

Representative DeVon, who had been excused, is now present.

### ENGROSSED SENATE BILLS ON THIRD READING

#### Engrossed Senate Bill 179

Representative Sullivan called down Engrossed Senate Bill 179 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 260: yeas 90, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### Engrossed Senate Bill 334

Representative Wesco called down Engrossed Senate Bill 334 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 261: yeas 63, nays 29. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### Engrossed Senate Bill 340

Representative Wolkins called down Engrossed Senate Bill 340 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 262: yeas 62, nays 31. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

### ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Acts 1009, 1081, 1104, 1112, 1147, 1166, 1189, 1224, 1267, 1288, 1301, 1370 and 1403 on March 2.

### OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representatives Clere and Shackleford be added as cosponsors of Engrossed Senate Bill 4.

KIRCHHOFFER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Judy be removed as cosponsor of Engrossed Senate Bill 178 and Representative Manning be added as cosponsor.

WESCO

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Cherry be added as cosponsor of Engrossed Senate Bill 229.

WOLKINS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as cosponsor of Engrossed Senate Bill 295.

BEHNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Schaibley and Clere be added as cosponsors of Engrossed Senate Bill 335.

MCNAMARA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Porter be added as cosponsor of Engrossed Senate Bill 350.

T. BROWN

HOUSE MOTION

Mr. Speaker: I move that Representative Abbott be added as cosponsor of Engrossed Senate Bill 367.

AYLESWORTH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Porter be added as cosponsor of Engrossed Senate Bill 408.

T. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Jordan, Prescott, Lindauer, May, Davisson, Bacon, Judy, Barrett, Lauer, Aylesworth, Lehe, DeLaney, Klinker, Pfaff and V. Smith be added as cosponsors of Senate Concurrent Resolution 46.

PRESSEL

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bills 1091, 1165 and 1348 with amendments and the same are herewith returned to the House for concurrence.

JENNIFER L. MERTZ

Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 18 and 43 and the same are herewith returned to the House.

JENNIFER L. MERTZ

Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 53, 54, 55, 56, 57, 58, 59, 60, 61 and 62 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ

Principal Secretary of the Senate

On the motion of Representative Wesco, the House adjourned at 6:11 p.m., this second day of March, 2020, until Tuesday, March 3, 2020, at 10:00 a.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives